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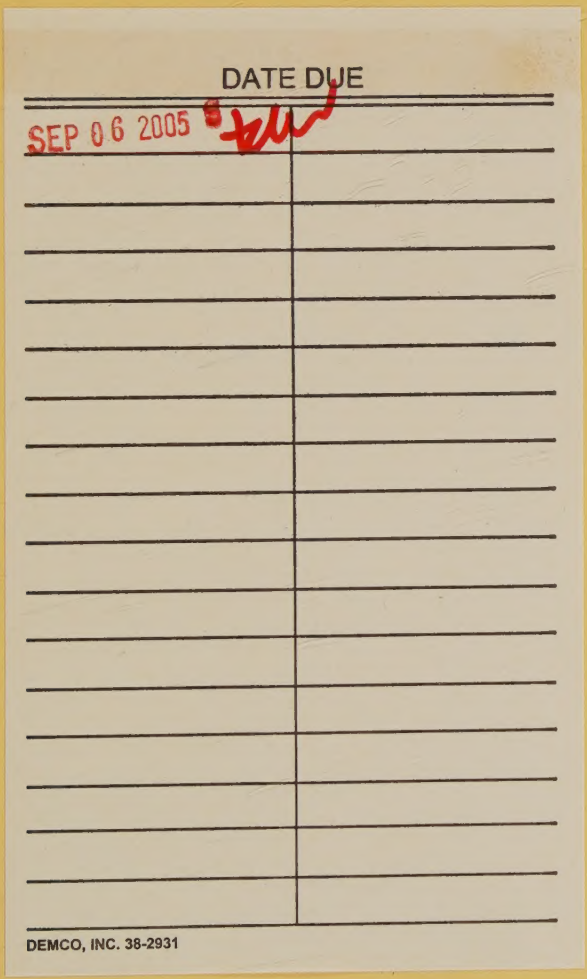

JOURNAL

OF THE

SENATE

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SPECIAL SESSION, 1880.

RALEIGH:
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1880.

K. Boyd
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OF THE

SENATE,

SPECIAL SESSION, 1880.

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48. R. WHITE,	Perquimans,	Belvidere.
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SENATE JOURNAL,

SPECIAL SESSION, 1880.

FIRST DAY.

SENATE CHAMBER, March 15th, 1880.

On February 21st, A. D. 1880, His Excellency, Thomas J. Jarvis, Governor and Commander-in-chief of North Carolina, issued the following Proclamation, in words to-wit:

A PROCLAMATION BY THE GOVERNOR.

By and with the advice of the Council of State, I, Thomas J. Jarvis, Governor of North Carolina, in the exercise of the power conferred upon me by the constitution, do issue this my proclamation, convening the General Assembly in extra session, on Monday, the Fifteenth day of March, in the year of our Lord one thousand eight hundred and eighty, on which day at twelve o'clock, meridian, the Senators and Members of the House of Representatives of the General Assembly of North Carolina, are hereby notified and requested to meet in their respective halls in the capitol, in the city of Raleigh, for the purpose of considering a proposition for the purchase of the State's interest in and the completion of the Western North Carolina Railroad to Ducktown and Paint Rock, made by W. J. Best, W. R. Grace, J. N. Tappan and James D. Fish, of the city of New York, of whose financial responsibilities and personal integ-

rity I have satisfactory assurances; and for considering such other propositions as may be made for the same purpose.

In witness whereof, I, Thomas J. Jarvis, Governor and Commander-in-chief, have hereunto set my hand and caused to be affixed the great seal of state.

Done at our city of Raleigh, this the twenty-first day of February, in the year of our Lord one [L. S.] thousand eight hundred and eighty, and in the one hundred and fourth year of American Independence.

THOMAS J. JARVIS,
Governor.

By the Governor:
G. L. DUDLEY, *Private Secretary.*

In obedience thereto, the Honorable the Senate of North Carolina convened in the Senate Chamber at Raleigh this day in extraordinary session.

Honorable James L. Robinson, Lieutenant Governor and President of the Senate, at the hour of twelve meridian, assumed the chair and called the Senate to order.

Prayer was offered by Rev. Dr. Thomas E. Skinner, of the city.

The roll of the Senate was called and the following Senators answered to their names:

Mr. President, Messrs. Alexander, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Matheson, McEachairn, Mebane, Merritt, Mitchell Moye, Nicholson, Ormand, Redwine, Ross, Shackleford, Snow, Steward, Taylor, Waddell, Ward, Williamson and White —44.

A quorum being present, the President directed the aforesaid proclamation of his Excellency to be read.

Mr. President Robinson then addressed the Senate as follows:

"FELLOW SENATORS:

We have been convened in extraordinary session by the proclamation of his Excellency, the Governor, to consider a matter of much interest to all of our people; it may be of vital interest to a portion of them.

In approaching the consideration of a question like this, we should divest ourselves of anything like personal feeling or local prejudices or predilections and consider it as sons of one common mother, the State of North Carolina.

I bespeak such generous support and aid as you have given me heretofore in the discharge of the duties of my position, and declare the Senate ready to proceed to business."

On motion of Mr. Graham of Lincoln, a message was sent to the House of Representatives informing that honorable body that the Senate was duly organized and ready to proceed with business; and proposing the appointment by the two houses of a joint committee of three on the part of the Senate and five on the part of the House of Representive, to wait upon His Excellency the Governor, inform him of the organization of the General Assembly and its readiness to receive from him any communication it might be his pleasure to make.

A message was received from the House of Representatives informing the Senate of the organization of that honorable body, and its readiness to proceed in the dispatch of business.

A message was also received from the House announcing the concurrence of that honorable body in the proposition of the Senate to appoint a joint committee to wait upon his Excellency, the Governor, and had appointed Messrs.

Cobb, Covington, Bernard, Jones and Norment, as the House branch of said committee.

The President then announced as Senate branch of said committee, Messrs. Graham of Lincoln, Dortch and White.

Mr. Graham of Lincoln, of committee to wait upon the Governor, reported to the Senate that his Excellency announced his pleasure to communicate with the General Assembly within a few minutes.

A message was received from the House of Representatives transmitting to the Senate a message from his Excelleney, the Governor, addressed to the Senate and House of Representatives, with accompanying documents, with a proposition to order printed two hundred copies of the same for the use of fhe General Assembly.

The Secretary read the message from his Excellency, as follows:

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, March 15, 1880.

Gentlemen of the Senate and House of Representatives:

I have convened you in extra session to-day to consider a proposition made by W. J. Best, J. N. Tappan, W. R. Grace and J. D. Fish, of the city of New York, for the purchase of the State's interest in the Western North Carolina Railroad, and for its completion, and to consider any other proposition having the same end in view, and I have done so because you are the representatives of the real owners of the property proposed to be purchased.

To have refused to submit such an important proposition to you would, in my opinion, have been in effect a gross usurpation of a power nowhere in the constitution confided to me by the people of North Carolina. Reading that constitution by the light of true Democracy, the authority given to the Governor "on extraordinary occasions, by and with the advice of the Council of State, to convene the General

Assembly in extra session," seems in no sense a restriction upon the right of the people to consider and determine their own affairs, but, on the contrary, a solemn enactment in furtherance of that right. Provision was first made in the constitution for the people to be heard at regular stated periods through their representatives in General Assembly, and then in view of the possibility that emergencies at other periods might arise, in which it would be equally important for the voice of the people to be heard, machinery for that purpose also was provided. In a word, it was to enable the people to make known their will, and not to clothe the Governor with a veto power on that will, that authority was given to him to convene the General Assembly in extra session; to give the people voice and not to silence them in matters of their own concern. The people of North Carolina have steadily refused, from the organization of the State government in December, 1776, to the present time, to confer upon their Governor a veto power, or any power in the nature of a veto power. Not proposing, therefore, to usurp a prerogative that rightfully belongs to you as the representatives of the people, I have deemed it my plain duty to call you together and submit the proposition to you.

In view of the importance of the subject matter which you are to consider, it is my duty to put you in possession of all the information I have concerning both the proposition and the property to which it relates.

On the 10th day of January of this year, Mr. William J. Best, of New York city, submitted to me, for himself and others, a proposition to purchase the State's interest in the Western North Carolina Railroad, and for the speedy completion of the entire line of road, both to Paint Rock and to Ducktown. After considerable correspondence, and several interviews with Mr. Best, and after assurances of the financial and personal character of himself and his associates, and of their connection with him, the proposition was so shaped as in my opinion to possess sufficient merit to re-

quire its submission to you. This proposition was first submitted to the Board of Directors of the company and then to the Board of Internal Improvements, with requests for their advice, suggestions and action. These boards were, in point of fact, as I was informed, divided in their opinions.

On February 3d, I received a letter, dated February 2d, from Messrs. A. J. DeRossett, Donald McRae and D. R. Murchison, in behalf of themselves and other leading citizens of Wilmington, inquiring if a proposition had been submitted for the purchase of the State's interest in the Western North Carolina Railroad, and what the terms of the proposition were, and stating that there was an arrangement being perfected in Wilmington to raise a company to purchase the property. I replied to these gentlemen on the 3d, the same day I received the letter, stating that a proposition had been made, giving them as accurately as I could, (it then not being in my possession), its terms, and stating that I would submit it to the Board of Directors on the 10th, then the Board of Internal Improvements, and finally to the Council of State. I assured them "that our friends in Wilmington would have the amplest opportunity to oppose the proposition of Mr. Best, or to make one of their own," and expressed the hope that they would "find themselves prepared to make an offer for such purchase," with the assurance that "as between our own people and all other people, my sympathies were with our own." I then laid the proposition, together with my correspondence, letter book, and all the information I had, before the Council of State, made by the constitution my advisers, and asked their advice as to the propriety of convening the General Assembly in extra session to consider the same. I was officially informed that the Council was unanimous and earnest in opinion that I ought to call together the General Assembly in extra session at as early a day as practicable to consider the proposition. In accordance with that advice, I issued my procla-

mation on the 21st day of February, calling you together in extra session to-day.

Immediately after issuing my proclamation I caused the proposition of Mr. Best and his associates to be printed and circulated throughout the State, so that the people might know what it was, and you might learn their will concerning it before you were required to act.

There has been much discussion on the merits of the proposition, the language in which it was written and the propriety of a sale of the property on any terms, which, I take it, will aid you in coming to your conclusions. When I published the proposition, though I thought its main features sufficiently set forth to to be submitted to the General Assembly, it was not claimed by myself or by the Council of State, so far as I am informed, that it was absolutely perfect, either in form or in substance, and such amendments as mature deliberation might show to be necessary I confidently relied upon your wisdom to make, and to this end, as I said in my recent address to the people of the State, I desired that the "speediest, greatest and nost detailed publicity" be given to the proposition. And to aid you in this work of perfecting the proposition in its details as far as I could, (the Attorney General being constantly engaged in official duties connected with the Supreme Court) I availed myself of the services of Hon. George Davis, of Wilmington, and Hon. Thomas Ruffin, of Hillsbore, whose rare legal attainments, and whose unsullied personal integrity, you know full well. At my request these gentlemen, after a careful study of the proposition, and after full conference with Mr. Best, and the attorney of his associates, and with their full concurrence, made a redraft of the entire proposition, which, together with the draft as first printed, I transmit herewith. I am sure if you desire the property to be sold on the terms proposed, you will have but little trouble in framing a bill that will protect the interest of the State,

and be acceptable to the parties who desire to become the purchasers.

The history of this road naturally divides itself into three periods. *First.* Its management from the date of its charter to the date of its sale under execution in 1875. *Second.* Its management from its purchase by the State at the sale in 1875 to its reorganization in April, 1877. *Third.* Its management from its reorganization to the present time. The charter for this road from Salisbury to Ducktown and to Paint Rock was granted by the General Assembly at its session in 1854–55, and work under it was begun soon thereafter. From that day to this there has seldom been in the State a political campaign in which this road has not in some way or other been a topic of discussion. Pledges for its speedy and early completion have been freely made by all parties that have had an existence in the State. Hopes have been excited, deferred, destroyed and renewed until the people have well-nigh despaired of its completion.

The State issued her bonds for four millions of dollars for this work prior to 1868. During the same period one million and three hundred thousand dollars were paid in money or labor by counties and individuals along the line of the road. The company also issued its mortgage bonds to the extent of near a million and a half dollars to aid in the work. I think that I can safely say that not less than seven millions of dollars in actual cash, from time to time, including that derived from the sale of the six millions six hundred and forty thousand dollars of the so-called special tax bonds, went into the hands of the officers of the two divisions of this company, during the first period, with which to build and equip this great work, and yet not a rail was laid beyond Old Fort, in McDowell county. From causes not now necessary to discuss, the whole property was, in 1875, put up and sold at public auction, to the highest bidder, and bought by the State.

The amount bid for this property by the State was eight

hundred and fifty thousand dollars, which she paid by executing a mortgage for that amount upon the property itself, and issuing through the commissioners appointed to make the purchase, mortgage bonds for that amount to be due in 1890, and bearing seven per cent. interest. The interest on these bonds the State guaranteed by making the coupons receivable for taxes due the State; but she did not bind herself to pay the principal.

Three commissioners were then appointed by the State, who took possession of the property, and managed it until the organization of the present company, in April, 1877. Of this management it is sufficient to say, generally, that it had a small convict force, and completed the road to Henry, and did considerable grading on the mountain section.

In the great campaign of 1876 pledges for the completion of this road were again given by both parties, and in the General Assembly of 1876–'77 both parties participated in the legislation under which the present company was organized, and under which the present appropriations have been made and expended. Under the management of the present company the State has furnished a convict force, averaging about five hundred, which has been fed, clothed and quartered at her expense. She has supplied the rails and material necessary to lay the track, and has paid for the same, and the iron laid by the commissioners, with money drawn from the treasury and raised by taxation. In the same way she has paid all the interest on the eight hundred and fifty thousand dollars first mortgage bonds up to the present time. The amounts thus paid out, up to March 1st, 1880, are:

For iron, &c	$150,173 43
For interest	266,175 00
For support of convicts	140,031 00
Total	$556,379 43

Under this management twenty-six miles of track have been laid, a part of the grading for which had been done by prior managements, and to-day the terminus of the road is at Gudger's Ford, six miles east of Asheville.

It gives me pleasure to say that I believe the affairs of the company have been well conducted by the present management, and that a great deal of work of a difficult character has been done under it with but small means.

Any proposition to sell the State's interest in the road must to a very great extent be a business matter, and should be considered upon business principles. If an offer were made to one of you for the purchase of your own property, you would, after hearing the terms of the offer, be influenced in its acceptance or rejection by the condition and value of the property, and your supposed advantage in keeping or selling it. Presuming you would act in this way with the people's property, in the exercise of your responsible duties, I requested the President of the company of the Western North Carolina Railroad to prepare a report to be submitted to you, showing the condition and value of the property. This report I herewith transmit and commend to your careful attention. The road-bed and an important and costly bridge need repairs; the iron is worn, and much of it needs replacing with new; the rolling-stock is insufficient, and much of it old and needing repairs. He estimates, as you will see from his report, that the sum of $220,000 will be needed in the next two years to put the road from Salisbury to Asheville in fair condition. From Asheville to Paint Rock is forty-five miles, and the sum of $650,000, according to his estimate, will be needed to build and equip this part of the road. From Asheville to Ducktown, he reports is one hundred and thirty-five miles, and to build and equip this line the sum of $5,330,000 will be required. The time required to build and equip these two lines, under existing laws, he estimates to be thirty years; and this estimate supposes that every dollar of the annual appropriation be

paid by the State and used for that purpose. The gross earnings of the company were last year $82,422.37, and the net earnings $22,157.60, which were used to aid in the construction and more speedy completion of the road to Asheville. Had the net earnings been used for the purpose of keeping up the old part of the road, they would have been wholly insufficient for that purpose. In fact, they would have been insufficient to have paid off the floating debt of the company, which has been permitted to remain unpaid in the anxiety of the directors, officers and employees of the company to reach Asheville as early as possible. The gross earnings for the next two years, if applied wholly to that purpose, would not be sufficient to repair and equip that part of the road already built, unless they should be greatly increased. So the managers of the property, if the State continues to own it, will have to look elsewhere for the means actually necessary to keep the road in proper running order.

The place to which they naturally would look is the State Treasury, for the funds there are the property of the State equally with the road. With this view, I have called upon the State Treasurer for a report, which I herewith transmit, and likewise commend to your consideration. From this report you will see there is not a dollar in the Treasury that can be used for any such purpose, and will not be next year, unless you increase the rate of taxation. In fact, you will see that not a dollar of the annual appropriation for iron can be paid. So that unless other means are devised or taxation shall be increased, the further construction of the road must practically be stopped. It is a rule with the Treasurer, in the administration of the affairs of his office, to first pay the expenses of the State government proper, including the support of the charitable and penal institutions, and then the appropriations of money for specific purposes according to their priority. Acting upon this rule, he has not yet been able to pay off the liens on the Cape Fear

and Yadkin Valley Railroad, and still acting upon this rule, he will be unable this year to pay anything to the Western North Carolina Railroad.

What to do, then, with this property becomes a very grave question for you to determine. Ought the State to keep the road or ought the State to sell the road? If you decide to keep it, how do you propose to complete it? There are, so far as I can see, but three ways in which this may be attempted: To issue more State bonds, which to me seems perfectly inadmissible. I do not desire ever to see another State bond issued to build this or any other road; to still further mortgage the property, which in my opinion will inevitably lead to another foreclosure and sale and to its purchase by parties who will build and use the road when and how as to them may seem best, or who, it may be, will never build it at all; lastly by moneys derived from increased taxation. To increase the taxes already laid upon the people, without an absolute necessity therefor, I am persuaded you will not do. Governments are necessary, and their machinery is necessarily costly, but the moment a government exacts a dollar from the people more than the requirements of its existence may demand, that moment it becomes an oppressor. As I said to you in my inaugural address: "Government has its blessings and its burdens. Good laws properly administered constitute its blessings; the taxation necessary for its support, its burdens. How to make its blessings as great and its burdens as small as possible should be the earnest, constant study of all to whom the people have committed their interests, either as makers or ministers of the law." What I said then I repeat now. Nor am I to be deterred from pointing out to my fellow-citizens how they may lighten the burden of taxation by the fear of having it said that such a course is an appeal to the sordid passions of the people, and having it characterized as the act of a demagogue. Such an opportunity now presents itself, and I do not for a moment hesitate to pursue the course that

patriotism and duty so plainly mark out for me. In my opinion, further taxation for the completion of the Western North Carolina Railroad is entirely unnecessary, even at existing rates, for the simple reason that by a sale of the road upon the terms offered, it can be completed as originally designed without one dollar additional cost to the State, and not another dollar ought to be so spent. The State in its expenditures for works of internal improvement has never sought dividends, or any profit indeed, other than that inseparable from the greater conveniences of the people and the necessary increase in values sure to be caused by such works. But whether she sought such dividends from such expenditures or not, her sad experience in investments in other public works forbids the hope of any return to the State Treasury of any money expended on the Western North Carolina Road so long as she may own and operate it.

But there is still a higher consideration involved in the acceptance or rejection of the proposition now before you. North Carolina should do equal and exact justice to each and every portion of her people and territory, and only by so doing can she do the greatest good to the whole State, and only by so doing can she make her citizens everywhere proud to be called North Carolinians. Daily and hourly may be witnessed in various sections the increased means of travel, trade and intercourse which have so greatly added to the general wealth of the State. There are, however, a few sections of the State still unprovided for, and of these, notably, is that whole section of the State west of the Blue Ridge. The only means of transportation for person or produce in all that section, is to-day as it was a century ago, while during the whole period from that day to this, these people have responded with their lives and their scant means to every call of the State. In the proposition now before you I believe the State has an opportunity, without laying further burdens upon the other sections, of speedily giving to those people what they have so long hoped for and

so patiently waited for. I do not hesitate to avow my confidence in the honesty, integrity and ability of the gentlemen proposing this purchase, and my firm belief that if they make the purchase they will carry out in good faith and in good time any contract they may enter into with you.

The sale of the road is the only security of the people against taxation. Simply to repeal the legislation of 1876–'77 will not give relief. The only additional taxation placed up the people by that legislation was for the purchase of iron which in 1877 amounted to $34,000, in 1878 to $48,000, and in 1879 to $69,000, and can in no one year exceed $70,000. The reason the amount paid for iron in 1879 so greatly exceeded that paid for in either of the preceding years was because I bought in the fall of that year, anticipating a rise in the price of iron, 650 tons at $42 per ton, nearly enough to iron the road to Asheville, and which could not now be bought for $80 per ton. This appropriation for iron is the only part of the burden which can be lopped off. You cannot if you would and would not if you could repeal the act which binds the State to pay the interest on the $850,000 first mortgage bonds of the road. The State has pledged her faith to this by making the coupons of these bonds receivable for taxes, and her faith must be kept inviolate. The amount of interest thus to be paid is $59,500 per annum, and must so continue for ten years, when these bonds mature. It costs the State $50,000 per annum to take care of 500 convicts. She cannot and will not refuse to provide for these. It is true, she may work them elsewhere, but that will not get clear of or lessen the cost of maintenance. There is no place to put these convicts at work at the cost of private parties. The Oxford and Henderson and the Chapel Hill roads are the only enterprises that have made offers to the Penitentiary authorities to hire convicts, and both of these roads have been supplied. So that there is $110,000 of the burden that must still re-

main in any event if you refuse to sell this property. And just here I beg to call your attention to another fact in the report of Treasurer Worth, to which I have not yet alluded. He states that there will be a deficiency in the Treasury under existing laws at the meeting of the next General Assembly of $216,675.28. If the appropriation of $70,000 for iron be omitted—and that as I have shown is the only item that can be repealed—then there will be a deficiency of $146,675.28, if you refuse to sell the road and the State meets her obligations. There is but one way to supply this deficiency and that is by increase of taxation, and the increase necessary for that purpose will be ten cents on each hundred dollars worth of property.

The State should never, as I have said, issue another bond to aid in any public work in any section. She can, though, do much in the way of aid for all sections that choose to avail themselves of it with her convict labor. Our experience has shown it to be the best labor ever employed in this State on works of improvement. A force of one hundred and twenty-five convicts has nearly graded, since last October, the most of the line from Oxford to Henderson, for which the State receives compensation in cash sufficient to cover all expenses. Another force of now nearly one hundred is at work on the road running to the State University, and it is expected will complete the grading by the first of the Fall. This force is likewise paid for in cash. The force on the Cape Fear and Yadkin Valley Road will complete the grading of that road to Greensboro by the last of the Summer, and then can be placed West of Greensboro, and, well organized as it is, will, if kept at work, push quite rapidly up the Northwestern section of the State through and into a section rich in mineral and agricultural resources, and much in need of railroad facilities. This force is paid for in the first mortgage bonds of the company, which is the same sort of security which those who pay for the iron and superstructure are to take for their money. This much the

State can do, and should do for other sections. and it can better be done by the Penitentiary authorities than by legislative enactments. In this way, I think many projects which have been much talked of and discussed in our more eastern counties may be greatly aided without any additional burdens to the people. In fact, I think at the same time this State is giving this aid she may, by proper legislation, lessen the burdens in the counties, for I am prepared to advise that the criminals who are now an expense to the counties, be taken out of jail and put to work on these roads. If men will commit crime, I believe in making them work for the public to pay for it. If the State continues this work on the Western North Carolina Railroad for twenty or thirty years longer, it will cut her off for long years to come from doing anything with this labor for other sections.

The introduction into the State of the amount of money and energy necessary to the completion of this great work by foreign capitalists is, in my opinion, worthy to be considered, and if you believe in the good faith of the parties proposing such completion, should have its influence on your action. The speedy development of the large section of the State beyond Asheville, consequent upon the completion of this road, and the investments there by other capitalists from abroad, will become a reality and no longer be a prophecy.

And now, gentlemen, having given you all the information in my possession, and for fuller details placing my letter book, containing all my correspondence on the subject, at your disposal, I leave the matter in your hands, confidently believing that your action in this crisis so fraught with good or evil to the people of the West, and of the whole State, will be taken with an eye single to the good of those whom you represent.

In conclusion, gentlemen, I beg leave to say that I know of no other subject for your consideration which may not be postponed till the regular session of the General Assem-

bly next winter, and I trust that I am not infringing upon your prerogatives in earnestly advising you not to enter upon general legislation.

Respectfully,

THOS. J. JARVIS.

Mr. Leach moved to amend the proposition to print by striking out "two hundred copies," and insert "ten copies for each member of the General Assembly," which was adopted.

A message was received from the House of Representatives, transmitting without engrossment H. R. No. 1, S. R. No. 1, resolution to raise a joint select committee in reference to the Western North Carolina Railroad.

On motion of Mr. Graham of Lincoln, the resolution was adopted.

Mr. Dortch introduced S. B. No. 2, bill for the sale of the State's interest in the Western North Carolina Railroad, the North Carolina Railroad, the Atlantic & North Carolina Railroad, and for other purposes. Referred to the Joint Select Committee in reference to the Western North Carolina Railroad, when the same shall be appointed.

Mr. Everett introduced S. R. No. 3, resolution relating to the Public Schools, which was placed upon the Calendar.

Mr. Dortch introduced S. B. No. 4, bill in relation to the Western North Carolina Railroad, which was referred to the Joint Select Committee on the Western North Carolina Railroad.

On motion of Mr. Leach, the Senate adjourned until to-morrow at 12 o'clock noon.

SECOND DAY.

SENATE CHAMBER, March 16th, 1880.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Black.

The Journal of yesterday was read and approved.

Messrs. Holleman, Lyon, Respass and Waldo were announced as present.

BILLS AND RESOLUTIONS.

Mr. Everett introduced S. R. No. 5, resolution relating to the constitution of the State. Placed upon the Calendar.

Mr. Davidson introduced S. B. No. 6, bill to amend chapter eighty-two, laws of 1879, entitled an act to provide for the keeping in repairs the public roads of the State. Referred to the committee on Public Roads.

Mr. Williamson introduced S. B. No. 7, bill to repeal chapter 142, laws of 1879, which purported to abolish private seals and to provide a short form of deeds. Placed upon the Calendar.

Mr. Leach introduced S. B. No. 8, bill to provide for the sale of the State's interest in the Western North Carolina Railroad Company to William J. Best, W. R. Grace, James D. Fish, and J. Nelson Tappan, and for other purposes. Referred to Joint Select Committee on Railroads.

Mr. Dancey introduced S. B. No. 9, bill to authorize the Board of Education of Edgecombe county to pay certain school claims. Referred to committee on Education.

On motion of Mr. Williamson, the rules were suspended, and

S. B. No. 7, bill to repeal chapter 142, laws of 1879, which purported to abolish private seals, and to provide a short form of deed, was taken up and passed its several readings.

The President announced as Senate branch of Joint Select Committee in relation to the Western North Carolina Railroad:

Messrs. Leach, Davidson, Erwin, Dortch, Everett, Graham of Lincoln, Mebane, Bryan of Pender, White and Graham of Montgomery.

On motion of Mr. Everett, the rules were suspended and S. R. No. 3, resolution relating to the Public Schools, was taken up. Upon its adoption Mr. Everett demanded the ayes and noes, which were ordered, and the resolution was adopted; ayes 43, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Respass, Ross, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, Waldo, Ward and White—43.

Those voting in the negative, were:

Messrs. Davidson, Leach, Redwine, and Williamson—4.

On motion of Mr. Everett, the resolution was ordered sent to the House of Representatives without engrossment.

A message was received from the House of Representatives transmitting for concurrence,

H. B. No. 2, S. B. No. 10, bill to relieve the citizens of Burke county from the operations of an act prohibiting the driving of cattle west of the Blue Ridge, which was referred to the committee on Propositions and Grievances; also,

H. B. No. 17, S. B. No. 11, bill to repeal chapter 83, laws of 1879, relative to public roads in Mecklenburg county, which was placed upon the Calendar.

Also, a message from the House announcing the concurrence by that honorable body in the amendment of the Senate to print ten copies for each of the members of the

General Assembly of the message of his Excellency the Governor, and accompanying documents.

Mr. King introduced S. B. No. 12, bill to amend section 23, chapter 70, laws of 1879, entitled "an act to raise revenue." Placed upon the Calendar.

Leave of absence was granted Mr. Brower until Monday.

On motion of Mr. Alexander, the rules were suspended, and

H. B. No. 17, S. B. No. 11, bill to repeal chapter 83, laws of 1879, entitled "an act in relation to the public Roads in Mecklenburg county," was taken up.

Mr. Alexander presented a petition of certain citizens of Mecklenburg county, asking the repeal of said law.

On motion of Mr. Alexander, the bill was indefinitely postponed.

On motion of Mr. Hoyle, the Senate adjourned until tomorrow at 11 o'clock A. M.

THIRD DAY.

SENATE CHAMBER, March 17th, 1880.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The journal of yesterday was read and approved.

PETITIONS.

Petitions and memorials were introduced and disposed of, as follows:

By Mr. Nicholson: Petition from Henry Turner and

others. Referred to the committee on Propositions and Grievances.

By Mr. Matheson: Petition of W. E. White and others; also one from W. M. Brooks and others. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives announcing the passage by that honorable body of

H. B. No. 9, S. B. No. 13, bill to empower the Board of Commissioners of Cabarrus county to settle with the sheriff of Cabarrus county, by compromise, all outstanding unsettled business for the years 1871, 1872, 1873, 1874, 1875, 1876, and 1877. Placed upon the Calendar.

Mr. Everett introduced S. B. No. 14, bill to sell the Western North Carolina Railroad.

Referred to the Joint Select Committee on the Western North Carolina Railroad, and two hundred and fifty copies ordered to be printed for the use of the General Assembly.

Mr. Alexander introduced S. B. No. 15, bill to amend an act relating to roads and highways. Placed upon the calendar.

Mr. Respass introduced S. B. No. 16, bill for the relief of Beaufort county. Placed upon the calendar.

Mr. Nicholson introduced S. B. No. 17, bill to amend chapter 232, laws of 1879. Placed upon the calendar.

Mr. Waddell introduced S. B. No. 18, bill to amend section 39, chapter 53, Battle's Revisal, entitled "Guardians and Wards." Referred to the Committee on Judiciary.

Mr. Moye introduced S. B. No. 19, bill to amend chapter 293, public laws of 1879. Placed upon the calendar.

Mr. Eppes introduced S. B. No. 20, bill to require the board of education of Halifax county to pay outstanding claims for teaching in the public schools of the county for the years 1875, 1876 and 1877. Placed upon the calendar.

Mr. Ross introduced S. B. No. 21, bill to incorporate Cape Fear Lodge, No. 1841, of Grand United Order of Odd Fellows, in the town of Smithville. Placed upon the calendar.

Mr. Matheson introduced S. B. No. 22, bill to prohibit the sale of intoxicating liquors in certain localities. Referred to the Committee on Propositions and Grievances.

On motion of Mr. Redwine the rules were suspended and

H. B. No. 13, bill to empower the board of commissioners of Cabarrus county to settle with the sheriff of Cabarrus county by compromise all outstanding unsettled business for the years 1871, 1872, 1873, 1874, 1875, 1876 and 1877, was taken up, passed its several readings and ordered to be enrolled for ratification.

Mr. Shackleford, from the Committee on Engrossed Bills, reported as correctly engrossed

S. B. No. 7, bill to repeal chapter 142, laws of 1879, which purported to abolish private seals and to provide a short form of deed.

Mr. Erwin moved to recall from the Committee on Propositions and Grievances, H. B. No. 2, S. B. No. 10, bill to relieve the citizens of Burke County from the operations of an act prohibiting the driving of cattle west of the Blue Ridge. Adopted.

On his further motion the rules were suspended, and the bill placed upon its several readings and passed, and ordered enrolled.

On motion of Mr. Nicholson, the rules were suspended and S. B. No. 17, bill to amend chapter 232 laws of 1879, was taken up passed its several readings, and ordered engrossed.

On motion of Mr. Everett, the rules were suspended and S. R. No. 5, resolution relating to the constitution of the state, was taken up on its second reading.

Mr. Williamson moved to amend: "Instruct the Judi-

ciary committee to report an amendment exempting all new farms opened up and placed in cultivation."

Mr. Davidson moved to amend:

"And allowing the legislature to impose a tax on dogs."

Accepted.

Mr. Respass moved to amend in the nature of a substitute for the resolution:

"The judiciary committee be instructed to report an amendment to the constitution exempting from taxation all interests in mining, manufacturing, commercial, agricultural, fishing and polls."

Mr. McEachairn moved the bill and amendments be laid upon the table, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the motion to table prevailed. Ayes 28, noes 15, as follows:

Those voting in the affirmative were—

Messrs. Alexander, Austin, Bryan of Duplin, Bryan of Pender, Caldwell, Dillard, Dortch, Eaves, Erwin, Graham of Lincoln, Harriss, King, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, Waldo, Williamson—29.

In the negative—

Messrs. Black, Bull, Dancy, Davidson, Eppes, Everett, Graham of Montgomery, Henderson, Holleman, Hoyle, Leach, Mitchell, Ormand, Ross, Ward—15.

Mr. Bynum was announced absent yesterday and to-day on account of sickness.

Mr. Henderson introduced

S. B., No. 23, bill for the protection of crops in Rowan county.

On motion of Mr. Henderson, the rules were suspended and the bill put upon its second reading and passed. On his further motion, it was put upon its third reading.

Mr. Redwine offered an amendment:

"Provided this act shall not go into effect until the county of Rowan shall have constructed a lawful fence four and a half feet high along the line which separates the counties of Rowan and Stanley."

Pending consideration,

On motion of Mr. Henderson, the bill and amendment were referred to the Committee on Propositions and Grievances.

Mr. Alexander introduced

S. R., No. 24, resolution of instruction to the Governor of the State.

On motion of Mr. Alexander, the rules were suspended and the resolution passed its several readings, and was ordered to be sent to the House of Representatives without engrossment.

Mr. Everett introduced

S. R., No. 25, resolution relating to the contested seat from the second Senatorial district. Placed upon the Calendar.

A message was received from the House of Representatives transmitting

H. B., No. 6, S. B., No. 26, bill to construct a bridge over the Tuckaseigee river in Jackson county. Placed upon the Calendar.

On motion of Mr. Dortch, the Senate adjourned until tomorrow at 12 o'clock M.

FOURTH DAY.

SENATE CHAMBER, March 18th, 1880.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Alston was announced absent on account of sickness. Indefinite leave of absence was granted him.

The President laid before the Senate a

Memorial from certain citizens of the District of Columbia. Referred to the Committee on the Judiciary.

BILLS AND RESOLUTICNS.

Bills and resolutions were introduced and disposed of as follows:

By Mr. Graham, of Lincoln,

S. B., No. 27, bill to amend chapters 239, Laws of 1874, '75. Placed upon the Calendar.

S. B. 28, bill to appoint a commission to sell the State's interest in the North Carolina, and the Atlantic and North Carolina Railroads. Referred to the Joint Select Committee on Railroads.

By Mr. Ormand:

S. B., No 29, bill to re-enact an act to run and establish the dividing line between the counties of Greene and Wayne. Referred to the Committee on Propositions and Grievances.

S. B., No. 30, bill to allow the County Commissioners of the counties of Greene and Lenoir to work the roads by taxation. Referred to the Committee on Propositions and Grievances.

By Mr. Eaves:

S. B., No. 31, bill to protect the citizens of North Caro-

lina from the stock of citizens of South Carolina. Referred to the Committee on Propositions and Grievances.

By Mr. Mitchell :

S. B., No. 32, bill to amend section 12, chapter 70, schedule B, Laws of 1879. Referred to the Committeee on Propositions and Grievances.

By Mr. Ward .

S. B., No. 33, bill to repeal chapter 183, Laws of 1879. Referred to the Committee on the Judiciary.

By Mr. Henderson :

S. B., No. 34, bill to authorize the commissioners for the town of Salisbury to levy taxes for the support of graded public schools. Placed upon the Calendar.

By Mr. Respass :

S. B., No. 35, bill for the relief of bondsmen of F. J. Satchwell, late sheriff of Beaufort county. Placed upon the Calendar.

By Mr. Everett :

S. B., No. 36, bill to repeal an act abolishing tax fees of attorneys. Placed upon the Calendar.

By Mr. Respass :

S. B., No. 37, bill concerning the holding of the Superior Courts for the counties of Beaufort and Martin. Placed upon the Calendar.

REPORTS FROM COMMITTEES.

Reports from Standing Committees were submitted as follows :

From the committee on Propositions and Grievances—

By Mr. Bryan of Pender :

S. B., No. 22, bill to prohibit the sale of intoxicating liquors in certain localities, recommend for want of proper legal notice, the bill do not pass.

S. B., No. 23, bill for the protection of the crops in Rowan

county, reporting an amendment and as amended recommending it to pass.

Mr. Dancey moved to recall from the committee on Education S. B. No. 9, bill to authorize the Board of Education of Edgecombe county to pay certain school claims which prevailed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. No. 7, S. B. No. 38, bill to amend section 1, chapter 206, laws of 1879. Placed upon the Calendar.

H. B. No. 13, S. B. No. 39, bill to amend chapter 79, laws of 1879. Placed upon the Calendar.

H. B. No 14, S. B. No. 40, bill to amend chapter 25, laws of 1876–'77. Placed upon the Calendar.

H. B. No. 39, S. B. 41, bill to classify the public roads of Buncombe and other counties. Placed upon the Calendar.

Also a message announcing the concurrence by that honorable body in Senate Resolution No. 3, resolution in relation to the School Bill, and announcing as the House branch of said committe Messrs. McLean, English and Reynolds.

On motion of Mr. Graham of Lincoln, the rules were suspended and

S. B. No. 27, bill to amend chapter 239, laws of 1874–'75, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Moye, the rules were suspended, and

S. B. No. 19, bill to amend chapter 293, public laws of 1879, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. King, the rules were suspended, and

S. B. No. 12, bill to amend section 23, chapter 70, laws of 1879, entitled "an act to raise revenue," was taken up and passed its second reading.

On motion of Mr. Dancey, the rules were suspended, and

S. B. No. 9, bill to authorize the Board of Education of Edgecombe county to pay certain school claims, was taken up and passed its several readings, and ordered to be engrossed.

On motion of Mr. Respass, the rules were suspended, and

S. B. No. 35, bill for the relief of the bondsmen of F. J. Satchwell late sheriff of Beaufort county, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Alexander, the rules were suspended, and

S. B. No. 15, bill to amend an act relating to roads and highways, was taken up, passed its several readings and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Davidson, the rules were suspended, and

H. B. No. 6, S. B. No, 26, bill to construct a bridge over the Tuckaseige river in Jackson county, was taken up on its second reading, and passed; ayes 41, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White. —41.

On motion of Mr. Everett, the rules were suspended, and

S. R. No. 25, resolution in relation to the contested election case from the Second Senatorial District, was taken up for consideration

Mr. Harriss moved to refer the resolution to the commit-

tee on Privileges and Elections, and demanded the previous question upon the motion to refer, which motion was sustained and the motion to refer prevailed.

On motion of Mr. Bledsoe, the rules were suspended, and

H. B. No. 13, S. B. No. 39, bill to amend chapter 79, laws of 1879, was taken up, and passed its several readings, and was ordered enrolled for ratification.

On motion of Mr. Ross, the rules were suspended, and

S. B. No. 21, bill to incorporate Cape Fear Lodge, No. 1,841, Grand United Order of Odd Fellows in the Town of Smithville, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

The President *pro tem.*, (Mr. Graham of Lincoln in the Chair) announced as Senate branch of joint committee to Investigate the School Bill, Messrs. Everett, Alexander and Davidson.

On motion of Mr. Davidson, the Senate adjourned until to-morrow at 12 o'clock M.

FIFTH DAY.

SENATE CHAMBER, March 19th, 1880.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Gwaltney.

The Journal of yesterday was read and approved.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the Committee on Engrossed Bills—By Mr. Shackleford, as correctly engrossed,

S. B. No. 9, bill to authorize the Board of Education of Edgecombe county to pay certain school claims.

S. B. No. 17, bill to amend chapter 232, laws of 1879.

INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of, as follows:

By Mr. Lyon: S. B. No. 42, bill to amend an act to incorporate the Granville Railroad Company. Placed upon the Calendar.

By Mr. Waldo: S. B. No. 43, bill to amend chapter 63, section 13, Battle's Revisal. Referred to the Committee on the Judiciary.

By Mr. Nicholson: S. B. No. 44, bill to amend chapter 32, sections 154 and 155, Battle's Revisal. Placed upon the Calendar.

By Mr. Shackleford: S. B. No. 45, bill to incorporate the town of Richland, in Onslow county. Placed upon the Calendar.

By Mr. Snow: S. B. No. 46, bill to provide for the removal of causes in courts of Justices of the Peace. Placed upon the Calendar.

By Mr. King: S. B. No. 47, bill to expedite the trial of criminal actions upon their merits. Placed upon the Calendar.

By Mr. Ross:

S. B. No. 48, bill to amend section one, chapter one hundred and twenty-nine, of acts of 1879, entitled an "act to provide for draining swamp lands in Columbus and Robeson counties with convict labor." Referred to the Committee on Internal Improvements.

By Mr. Williamson:

S. R. No. 49, resolution of request to the Judges of the

Supreme Court in the matter of the proposition for the sale of the Western North Carolina Railroad. Placed on the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting,

H. B. No. 55, S. B. No. 50, bill to amend the charter of the Cape Fear and Yadkin Valley Railway Company. Placed upon the Calendar.

H. B. No. 8, S. B. No. 51, bill to authorize and empower the County Commissioners of Union county to apply their surplus railroad fund to the school or general fund. Placed upon the Calendar.

H. B. No. 28, S. B. No. 52, bill to extend the time to redeem land sold to the State. Referred to the Committe on Finance.

H. B. No. 24, S. B. No. 53, bill relating to roads and other public works in the county of Lenoir. Placed upon the Calendar.

By consent,

Mr. Snow introduced,

S. R. No. 54, resolution requiring the Secretary of State to purchase a Map for the use of the Senate. Placed upon the Calendar.

PETITIONS.

Petitions were presented as follows:

By Mr. Erwin:

Petition of the citizens of Yancey. Placed upon the Calendar.

On motion of Mr. Merritt, the Calendar was placed under the control of the President.

CALENDAR.

Bills and Resolutions upon the Calendar were taken up and disposed of as follows:

H. B. No. 6, S. B. No. 26, bill to provide for building a bridge over the Tuckaseigee river in Jackson county, on its third reading, and passed, ayes 30, noes none, as follows:

Those voting in the affirmative are:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bull, Caldwell, Dancey, Dillard, Eaves, Eppes, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachairn, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Shackleford, Stewart, Taylor, Waddell, Ward and Williamson—30.

S. B. No. 12, bill to amend section 23, chapter 70, of the public laws of 1879, entitled "An act to raise revenue," passed its third reading.

S. B. No. 16, bill for the relief of Beaufort county, passed its second reading, ayes 58, noes none, as follows:

Those voting in the affimative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bull, Caldwell, Dancey, Eaves, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachairn, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo and Williamson—28.

S. B. No. 20, bill to require the Board of Education of Halifax county to pay outstanding claims for teaching in the public schools of the county for the years 1875, 1876 and 1877, passed its several readings and was ordered engrossed.

S. B. No. 34, bill to authorize the commissioners of the town of Salisbury to levy taxes for the support of graded public schools, passed its second reading, ayes 35, noes none, as follows:

Those voting in the affimative were:

Messrs. Alexander, Black, Bledsoe, Bryan of Duplin, Bull,

Caldwell, Dancey, Dillard, Eaves, Eppes, Everett, Harriss, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachairn, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackelford, Snow, Stewart, Taylor, Waddell and Waldo—35.

Nays none.

S. B. No. 36, bill to repeal the act abolishing tax-fees of attorneys, on its second reading.

Mr. Everett amended the bill so as to apply only to the fees on appeals to the Supreme Court.

Mr. Lyon moved to lay the motion upon the table, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 22, noes 9, as follows:

Those voting in the affirmative, were:

Messrs. Alexander, Austin, Black, Bryan of Duplin, Caldwell, Dillard, Eaves, Graham of Lincoln, Holleman, King, Lyon, Matheson, McEachairn, Merritt, Mitchell, Moye, Nicholson, Respass, Snow, Stewart, Taylor and Williamson—22.

Those voting in the negative, were:

Messrs. Bull, Dancey, Everett, Hoyle, Ormand, Ross, Scales, Shackelford and Waddell—9.

By consent,

Mr. Waddell, from the committee on Enrolled Bills, reported as correctly enrolled,

H. B. No. 2, S. B. No. 10, an act to relieve the citizens of Burke county from the operations of an act prohibiting the driving of cattle west of the Blue Ridge;

H. B. No. 9, S. B. No. 13, an act to empower the commissioners of Cabarrus county to settle with the sheriff of Cabarrus county, by compromise, all outstanding unsettled business for the years 1871, 1872, 1873, 1874, 1875, 1876 and 1877:

H. B. No. 13, S. B. No. 39, an act to amend chapter 79, laws of 1879.

CALENDAR.

S. B. N. 22, bill to prohibit the sale of intoxicating liquors in certain localities, passed its several readings; and

On motion of Mr. Matheson, it was sent to the House of Representatives without engrossment.

By consent,

Mr. King, from the committee on Engrossed Bills, reported as properly engrossed,

S. B. No. 12, bill to amend section 23, chapter 70, laws of 1879, entitled "an act to raise revenue."

Senate amendments to

H. B. No. 6, S. B. No. 26, bill to construct a bridge over the Tuckasiege river in Jackson county.

CALENDAR.

H. B. No. 7, S. B. No. 38, bill to amend section 1, chapter 206, laws of 1879, passed its second reading and was ordered enrolled for ratification;

H. B. No. 14, S. B. No. 40, bill to amend chapter 25, laws of 1876 and 1877, on its second reading,

On motion of Mr. Scales, the bill was referred to the committee on Propositions and Grievances.

S. B. No. 23, bill for the protection of crops in Rowan county, on its third reading.

Amendment reported by the committee on Propositions and Grievances was adopted.

Mr. Henderson moved to amend: Add a new section after section 3, as follows:

"The Board of Commissioners for Rowan county may, by a resolution, suspend the operation of this Act in any locality, whenever said Board shall think proper, and shall have authority to revoke such resolution at any time."

Adopted.

Thus amended, the bill passed its third reading.

S. B. No. 37, bill concerning the holding of the Superior Courts for the counties of Beaufort and Martin, passed its several readings, and was ordered engrossed.

On motion of Mr. Lyon, the rules were suspended, and

S. B. No. 42, bill to amend an act to incorporate the Granville Railroad Company, was taken up, passed its several readings, and ordered sent to the House of Representatives without engrossment.

On motion of Mr. Scales, the rules were suspended, and

H. B. No. 55, S. B. No. 50, bill to amend the charter of the Cape Fear and Yadkin Valley Railroad Company, was taken up, passed its several readings, and ordered to be enrolled.

Leave of absence was granted the Engrossing Clerk and Assistant Doorkeeper of the Senate for to-morrow.

On motion of Mr. Austin, the rules were suspended, and

H. B. No. 8, S. B. No. 51, bill to authorize and empower the Commissioners of Union county to apply their surplus Railroad fund to the schools or general fund, was taken up, passed its several readings, and was ordered to be enrolled.

By consent,

Mr. Bryan of Pender, from Committee on Propositions and Grievances, reported

S. B. No. 29, bill to re-enact an act to run and establish the dividing line between the counties of Greene and Wayne, recommending it do pass;

S. B. No. 30, bill to allow the county commissioners of the counties of Greene and Lenoir to work the roads by taxation, recommending it do not pass;

S. B. No. 31, bill to protect the citizens of North Carolina from stock of citizens of South Carolina, recommending it do pass.

On motion of Mr. Dillard, the Senate adjourned until to-morrow at 12 M.

SIXTH DAY.

SENATE CHAMBER, March 20th, 1880.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

REPORTS FROM STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

FROM THE COMMITTEE ON ENGROSSED BILLS.

By Mr. Nicholson, as properly engrossed,

S. B. No. 23, bill for the protection of crops in Rowan county.

By Mr. Redwine,

S. B. No. 37, bill concerning the holding of the Superior Courts for the counties of Beaufort and Martin.

By Mr. Ward,

S. B. No. 20, bill to require the Board of Education of Halifax county to pay outstanding claims for teaching in the public schools of the county in the years 1875, 1876 and 1877.

FROM THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES.

By Mr. Bryan of Pender,

S. B. No. 32, bill to amend section 12, chapter 70, (Schedule B,) laws of 1879, recommending its reference to the Committee on Finance.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of, as follows:

By Mr. Graham of Lincoln:

S. B. No. 55, bill to amend chapter 33, private laws of 1876–'77. Placed upon the Calendar.

By Mr. Davidson:

S. B. No. 56, bill to aid in the construction of the Carolina Central Railway from Lincolnton to Hickory. Placed upon the Calendar.

By Mr. Lyon: S. B. No. 57, bill to prevent horse-racing on the public highways of the State. Placed upon the Calendar.

By Mr. Respass:

S. R. No. 58, resolution concerning the ten per cent tax on State banks. Placed upon the Calendar.

By Mr. Scales:

S. R. No. 59, resolution in relation to the Centennial celebration of the battle of Guilford Court House.

The resolution was read as follows:

"WHEREAS, The citizens of Guilford have called upon the people of North Carolina to co-operate with them in the celebration of the Centennial Anniversary of the battle of Guilford Court House on the old battlefield the 15th of March, 1880, and have called a preliminary meeting to be held in Greensboro on the 6th day of April proximo to perfect a proper organization, and make the necessary arrangements to that end;

And whereas, The said battle of Guilford Court House was a prominent event in the history of the revolutionary war, and contributed more, perhaps, to the overthrow of Cornwallis at Yorktown, and the achievement of American independence than any other battle fought upon southern soil;

And whereas, The celebration of the Revolutionary events so intimately connected with the great struggle of our forefathers to throw off British domination and unite the colonies into a confederation of States, making a Federal Union capable of indefinite duration, has a tendency to revive in the hearts of the people a greater love of country and a higher appreciation of the great blessings of liberty regulated by law; therefore be it

Resolved, That the General Assembly of North Carolina cordially endorses the proposed Centennial celebration, and will lend such aid and encouragement as it may be able to render the said celebration worthy the State and the Union.

Resolved, That our Senators and members in the Congress of the United States be requested to bring the matter before Congress, and secure such aid as they may be able to carry out the proposed Centennial.

Resolved, That the Secretary of State be requested to transmit to each of our Senators and members in Congress, and to the chairman of the meeting to be held in Greensboro on the 6th of April proximo, a true copy of these resolutions.

By Mr. Everett,

S. R. No. 60, resolution concerning the State finances. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting for concurrence,

H. B. No. 52, S. B. No. 61, bill to make the killing of live stock by the cars and engines on railroads in this State indictable.

On motion of Mr. Caldwell, it was referred to the committee on the Judiciary.

H. B. No. 32, S. B. No. 62, bill to allow the citizens of Polk county to submit a proposition to levy a tax to the qualified

voters of said county. Referred to the committee on Finance.

House amendments to

S. B. No. 19, H. B. No. 57, bill to amend chapter 293, laws of 1879.

On motion, the amendments were concurred in, and the bill was ordered enrolled for ratification.

A message was received announcing the concurrence of the House of Representatives in Senate amendments to

H. B. No. 6, S. B. No. 26, bill to construct a bridge over the Tuckaseige river in Jackson county, and had ordered the same enrolled for ratification.

Also a message from the House of Representatives transmitting a message from his Excellency the Governor, with a proposition to print.

The message of his Excellency the Governor is in words following, to-wit:

"EXECUTIVE OFFICE,
RALEIGH, N. C., March 20th, 1880.

To the Honorable the General Assembly
of the State of North Carolina:

I have had some official correspondence with the Governors of South Carolina and Tennessee in regard to the proper celebration of the centennial anniversary of the battle of King's Mountain on the eighth day of October next, and I have received from them assurances of their intentions to make the day worthy of the event.

Both these States have made appropriations for this purpose and their Legislatures have shown their appreciation of its importance by patriotic resolves.

I desire to bring the matter to your attention in order that you may express the sense of the people of the State in such form as you may deem best suited to the magnitude of

the victory won by the blood and bravery of our ancestors, and to the end that you may enact such laws as will enable me to spend a sum not exceeding two thousand dollars to give North Carolina her proper rank and dignity on that day.

King's Mountain was the decisive battle of the campaign of 1780. The brilliant victory there won reanimated the flagging hopes of our people and made Yorktown possible. It is one of North Carolina's priceless honors, and I confidently entrust to your pride and patriotism its proper recognition.

Very respectfully,

(Signed) THOS. J. JARVIS,
Governor."

On motion, the proposition to print was concurred in.

Also a message transmitting

H. B. No. 56, S. B. No. 63, bill to change the times of holding the Superior Courts in the Fourth Judicial District. Referred to the committee on the Judiciary.

By consent,

Mr. Waddell introduced

S. B. No. 64, bill to protect the State's interest in the North Carolina Railroad and for other purposes, accompanying the same with a memorial endorsing the same from the Presidents of the North Carolina, Atlantic and North Carolina, and the Cape Fear and Yadkin Valley Railroads. Bill and memorial were referred to the committee on Corporations.

CALENDAR.

Bills and Resolutions upon the Calendar were taken up disposed of as follows:

S. B. No. 29, bill to re-enact an act to run and establish

the dividing line between the counties of Greene and Wayne passed its several readings, and was ordered engrossed.

S. B. No. 16, bill for the relief of Beaufort county, was taken up on its third reading, and passed, ayes 37, as follows:

Those voting in the affirmative were :

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, King, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and Williamson.—37.

On motion of Mr. Respass, the bill was ordered sent to the House of Representatives without engrossment.

S. B. No. 34, bill to authorize the Commissioners for the Towns of Salisbury and Goldsboro to levy taxes for the support of Graded Public Schools, on its third reading.

Mr. Henderson moved to amend, so as to include the township of Goldsboro in the provisions of the act. Adopted.

Thus amended, the bill passed its third reading ; ayes 31, noes none, as follows:

Those voting in the affirmative were :

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin. Bryan of Pender, Caldwell, Dancey, Eaves, Eppes, Erwin, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Merritt, Mitchell, Nicholson, Ormand, Redwine, Respass, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, Waldo and White—31.

S. B. No. 31, bill to protect the citizens of North Carolina from the stock of citizens of South Carolina, passed its several readings, and was ordered to be engrossed.

S. B. No. 44, bill to amend chapter 32, sections 154 and 155, Battle's Revisal, passed its several readings, and

On motion of Mr. Nicholson, was sent to the House of Representatives without engrossment.

S. B. No. 45, bill to incorporate the town of Richlands in Onslow county, passed its several readings, and

On motion of Mr. Shackelford, was sent to the House of Representatives without engrossment.

By consent,

Mr. Scales introduced,

S. R. No. 65, resolution of instruction to the Public Treasurer.

Mr. Scales asked a suspension of the rules for the purpose of putting the resolution upon its passage. Upon division the rules were suspended, and the resolution was taken up.

Mr. Everett moved to amend:

"This resolution shall also apply to the authorities of the Penitentiary and the Asylum for the Deaf and the Dumb and the Blind."

Mr. Scales moved to amend the amendment by adding:

"First making out the report for the Insane Asylum."

Mr. Everett demanded the previous question upon the resolution and amendment, which was sustained.

Upon the adoption of Mr. Scales' amendment,

Mr. Everett demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 26, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dillard, Erwin, Graham of Lincoln, Henderson, Hoyle, King, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Respass, Scales, Shackelford, Snow, Stewart, Waddell and Williamson—26.

Those voting in the negative were:

Messrs. Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, Mitchell, Ormand, Taylor, Ward and White—11.

Thus amended, the amendment of Mr. Everett was adopted.

The resolution was adopted, and the Secretary of the Senate was directed to certify a copy of the same to the Honorable the Public Treasurer of the State.

CALENDAR.

S. B. No. 46, bill to provide for the removal of causes in courts of justices of the peace, passed its several readings, and was ordered engrossed.

Leave of absence was granted Mr. Everett until Monday, and Mr. Bull until Wednesday next.

On motion of Mr. Davidson,

H. B. No. 39, S. B. 41, bill to classify the public roads of Buncombe and other counties, was taken up on its second reading.

Mr. Davidson moved to amend:

Strike ont the word "county" in line one, section one, and insert in lieu thereof the words "Boards of."

Adopted.

Mr. Davidson moved to amend:

"Strike out section two."

Pending consideration,

On motion of Mr. Davidson, the bill and pending amendments were postponed until Monday at 11 o'clock, A. M., and made the special order for that hour.

S. R. No. 54, resolution requiring the Secretary of State

to purchase a map for the use of the Senate, passed its several readings, and was ordered engrossed.

On motion of Mr. Erwin, the Senate adjourned until Monday next at 10 o'clock, A. M.

SEVENTH DAY.

SENATE CHAMBER, March 22nd, 1880.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was read and approved.

PETITIONS AND MEMORIALS.

Petitions and memorials were submitted as follows:

By Mr. Moye,

Petition from citizens of Pitt. Referred to Committee on the Judiciary.

By Mr. Respass,

Petition from the citizens of Aurora, in Beaufort county. Placed upon the Calendar.

The President laid before the Senate a memorial of John R. Doughty, relative to the purchase of the railroads of the State in which the State has an interest. Referred to the Joint Select Committee on the Western North Carolina Railroad.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

FROM THE COMMITTEE ON THE JUDICIARY.

By Mr. Caldwell,

Memorial from the citizens of the District of Columbia, asking to be discharged from its further consideration.

By Mr. Henderson,

H. B. No. 56, S. B. No. 63, bill to change the time of holding the courts in the fourth judicial district, recommending it do pass.

By Mr. Bynum,

H. B. No. 52, S. B. No. 61, bill to make the killing of live stock by the cars and engines on railroads in this state indictable, reporting an amendment, and recommending the bill do not pass.

S. B. No. 33, bill to repeal chapter 183, laws of 1879, recommending it do not pass.

Mr. Leach, chairman of the joint select committee in relation to the Western North Carolina Railroad, announced he would report from the committee upon the bills referred to said committee concerning the proposition to purchase the state's interest in certain railroads, in the morning.

FROM THE COMMITTEE ON ENGROSSED BILLS.

By Mr. Shackelford, as properly engrossed,

S. B. No. 46, bill to provide for a removal of causes in courts of justices of the peace.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of as follows:

By Mr. Bynum,

S. R. No. 66, resolution relative to muster rolls of the war of 1812. Placed upon the Calendar.

By Mr. Bryan of Pender.

S. B. No. 67, bill to be entitled an act to authorize the county commissioners of New Hanover county to adjust and settle the debts of the township of Wilmington. Placed upon the Calendar.

By Mr. Dancey,

S. B. No. 68, bill concerning the commissions of county treasurers. Placed upon the Calendar.

By Mr. Respass,

S. B. No. 69, bill to incorporate the town of Aurora in the county of Beaufort. Placed upon the Calendar.

By Mr. Bledsoe,

S. B. No. 70, bill to amend section 20, chapter 70, laws of 1879. Placed upon the Calendar.

By Mr. Shackelford,

S. B. No. 71, bill to prevent the felling of trees below the southwest branch of New river in Onslow county. Placed upon the Calendar.

By Mr. Moye,

S. R. No. 72, resolution of instruction to the judiciary committee. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting

H. B. No. 3, S. B. No. 73, bill to incorporate the Durham Railroad Company. Placed upon the Calendar.

H. R. No. 17, S. R. No. 74, resolution in relation to the room of the Keeper of the Capitol. Referred to the Committee on Finance.

H. R. No. 11, S. R. No. 75, resolution in relation to Tisdell Walton, of Buncombe county. Referred to the Committee on Propositions and Grievances.

H. R. No. 15, S. R. No. 76, resolution to correct report of committee on election of Trustees of the University. Placed on the Calendar.

H. R. No. 10, S. R. No. 77, resolution for the relief of Noah H. Rice. Placed upon the Calendar.

H. B. No. 66, S. B. No. 79, bill to amend section 2, chapter 118, Battle's Revisal. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. No. 47, bill to expedite the trial of criminal actions upon their merits, on its second reading.

Mr. Bynum moved to amend:

Insert after the word "quash" in the first section, the words "demurrer, and plea in abatement."

Pending consideration,

The hour for the consideration of the

Special order arrived, being

H. B. No. 39, S. B. No. 41, bill to classify the public roads of Buncombe and other counties.

On motion of Mr. Snow, the consideraton of the special order was postponed for ten minutes.

The consideration of

S. B. No. 47, was resumed.

Question recurring upon the adoption of Mr. Bynum's amendment, it was lost.

Bill then passed its several readings, and was ordered engrossed.

The President laid before the Senate a communication from the Honorable the Public Treasurer of the State, in response to Senate resolution No. 65. Resolution of instruction to the Public Treasurer, which was read and placed upon the Calendar.

The special order, being

H. B. No. 39, S. B. 41, bill to classify the public roads of Buncombe and other counties, was taken up.

The question recurring upon amendment of Mr. Davidson, to "strike out section two."

Mr. Davidson, by consent, withdrew his amendment, and submitted the following, to be added to section two:

"Provided, however, that the width in such localities shall never be less than roads of the third class as herein provided, except where the location is through solid rock."

Mr. Bynum moved to amend the amendment: strike out the word "solid." Lost.

Mr. Graham, of Lincoln, moved to strike out the word "magistrates" wherever it appears, and insert the words "Justices of the Peace." Adopted.

Mr. Shackelford moved to strike out "Onslow" wherever it occurs. Adopted.

Mr. Erwin moved to insert "Rutherford." Adopted.

Mr. Caldwell moved to strike out "Harnett and Cumberland." Adopted.

As amended, the bill then passed its several readings.

Mr. Graham, of Lincoln, by consent, introduced

S. R. No. 78, resolution asking his Excellency the Governor to have furnished an itemized statement of expenses of charitable and penal institutions.

On motion of Mr. Graham, of Lincoln, the rules were suspended, and the resolution was adopted, and the Secretary was ordered to certify a copy of the same to his Excellency the Governor.

CALENDAR.

H. B. No. 24, S. B. 53, bill relating to roads and other public works in the county of Lenoir, on its second reading.

On motion of Mr. King, the bill was referred to the Judiciary Committee.

Mr. Snow moved to reconsider the vote by which

H. B. No. 39, S. B. No. 41, bill to classify the public roads Buncombe and other counties, passed its third reading. Prevailed.

On motion of Mr. Stewart, the name of the county of Harnett was inserted.

Question then recurred upon the passage of the bill its third reading, and it passed, and the amendments were ordered engrossed.

Mr. Snow moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion on the table. The latter motion prevailed.

CALENDAR.

S. B. 33, bill to repeal chapter 183, laws of 1879, on its second reading.

On motion of Mr. Bynum, the bill was laid upon the table.

S. B. No. 57, bill to prevent horse-racing on the public roads and highways of the State, on its second reading and passed. The bill was then put upon its third reading.

Mr. McEachairn moved to amend:

"This act shall only apply to Sunday."

Mr. Respass offered an amendment providing the act should not apply to the counties in his Senatorial District.

Mr. Respass moved to lay the bill and amendments on the table, upon which

Mr. Lyon demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 10, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Brower, Dancey, Erwin, Henderson, King, McEachairn, Respass, Ross, Waddell and Waldo—10.

Those voting in the negative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Graham of Montgomery, Harris, Holleman, Hoyle, Lyon, Mebane, Merritt, Moye, Nicholson, Redwine, Shackleford, Snow, Stewart, Taylor, Ward and Williamson—26.

Mr. Harris moved to amend:

"This act shall only apply to the county of Granville."

Mr. Lyon moved to lay the bill and amendments upon the table, which prevailed.

By consent,

Mr. Nicholson reported from the Committee on Engrossed Bill, as properly engrossed:

S. B. No. 34, bill to authorize the establishment of graded public schools in the town of Salisbury, and Goldsboro township.

By consent,

Mr. Brower introduced

S. B. 80, bill to enforce chapter 241, laws of 1879, concerning the Cape Fear and Yadkin Valley Railroad Company. Placed upon the Calendar.

S. B. 81, bill to amend chapter 137, laws of 1873–'74. Placed upon the Calendar.

CALENDAR.

H. B. 52, S B. 61, bill to make the killing of live stock by the cars and engines on railroads in this State indictable, on its second reading.

The amendment reported by the committee on the Judiciary, was lost.

Bill then passed its several readings, and was ordered enrolled.

S. B. 55, bill to amend chapter 33, private laws of 1876–'77, passed its several readings and was ordered engrossed.

H. B. 66, S. B. 79, bill to amend section 2, chapter 118, Battle's Revisal, on its second reading.

Mr. Ormand moved to amend:

"Provided that this act shall not apply to the citizens of North Carolina."

Lost.

Bill then passed its several readings, and was ordered enrolled.

On motion, Senate adjourned until 10 o'clock A. M., tomorrow.

EIGHTH DAY.

SENATE CHAMBER, March 23rd, 1880.

Senate met pursuant to adjournment.

Prayer by Rev. Dr. Skinner.

The Journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

Petitions and memorials were presented as follows:

By Mr. Shackelford,

A memorial from the Board of Trade of the city of New Berne. Placed upon the Calendar.

The President laid before the Senate a memorial from

Geo. A. Fitch, proposing to purchase the State's interest in the Atlantic and North Carolina Railroad, North Carolina Railroad, and the Western North Carolina Railroad.

REPORTS FROM STANDING COMMITTEES.

Reports from standing and select committees were submitted, as follows:

From the committee on the Judiciary:

By Mr. Davidson:

S. B. 43, bill to amend chapter 63, section 13, Battle's Revisal, recommending it do not pass.

From the committee on Finance:

By Mr. Henderson:

H. B. 28, S. B. 52, bill to extend the time to redeem land sold to the State, recommending it do pass.

From the Joint Select Committee on the Western North Carolina Railroad:

By Mr. Leach:

S. B. 8, bill to provide for the sale of the State's interest in the Western North Carolina Railroad Company to W. J. Best and others, a majority of the committee recommending it do pass.

S. B. 14, bill to sell the Western North Carolina Railroad, asking to be discharged from its further consideration.

S. B. 28, bill to appoint a commissioner to sell the State's interest in the North Carolina and Atlantic and North Carolina Railroads, asking to be discharged from its further consideration.

S. B. 2, bill providing for the sale of the State's interest in the Western North Carolina, the North Carolina, and the Atlantic and North Carolina Railroads, asking to be discharged from its further consideration.

S. B. 4, bill in relation to the Western North Carolina Railroad, asking to be discharged from its further consideration.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting for concurrence,

H. B. 47, S. B. 82, bill for the more speedy procurement of the right of way by the Taylorsville and Wadesboro Railroad Company. Referred to the committee on Internal Improvements.

H. B. 86, S. B. 83, bill to protect the fish interests of North Carolina. Referred to the committee on Propositions and Grievances.

H. B. 67, S. B. 84, bill to prohibit the sale of intoxicating beverages at Elkville, in Wilkes county, and other places in this State. Referred to the committee on Propositions and Grievances.

H. B. 22, S. B. 85, bill to incorporate the town of Middleburg, in the county of Warren. Referred to the committee on Corporations.

H. B. 84, S. B. 86, bill to construe an act to prohibit the sale of liquor within two and a-half miles of Hanks' Chapel, in Chatham county. Referred to the committee on Propositions and Grievances.

H. B. 82, S. B. 87, bill to amend chapter 84, section 1, private laws of 1876–'77. Placed upon the Calendar.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of, as follows:

By Mr. Shackelford:

S. B. 88, bill to amend an act entitled an act to provide for the laying off of a road from Quaker bridge, in Jones county, to a point near Zear Landing, in Onslow county, chapter 260, laws of 1878–'79. Placed upon the Calendar.

CALENDAR.

Bills and resolutions were taken up and disposed of, as follows:

H. B. 28, S. B. 52, bill to extend the time to redeem land sold to the State, passed its several readings, and was ordered enrolled.

S. B. 30, bill to allow the county commissioners of the counties of Greene and Lenoir to work the roads by taxation, was taken up on its second reading and lost.

S. B. 68, bill concerning the commissions of County Treasurers, passed its second reading.

The bill was put upon its third reading.

Mr. Merritt moved it be referred to the committee on the Judiciary. Upon division the motion prevailed.

H. B. 3, S. B. 73, bill to incorporate the Durham Railroad Company on its second reading.

Mr. Mebane moved to amend: Insert as commissioners, "J. Ed. Lyon, B. L. Duke, E. J. Parish, H. A. Reams, J. S. Lockhart, Fred. C. Gear, C. B. Greene." Adopted.

Bill then passed its second reading, and was put upon its third reading.

Mr. Bynum moved to postpone until to-morrow. Lost.

Mr. Dancey moved to refer the bill to the committee on the Judiciary. Lost.

Bill passed its third reading, and the amendment was ordered engrossed.

By consent,

Mr. Shackelford, from the committee on Engrossed Bills, reported as properly engrossed.

S. B. 54, resolution requiring the Secretary of State to purchase a map for the use of the Senate.

S. B. 55, an act to amend chapter 33, Private Laws of 1876 and 1877.

Mr. Nicholson, from the same committee, reported.

S. B. 31, act to protect the citizens of North Carolina from the stock of citizens of South Carolina.

On motion of Mr. Leach,

S. B. 8, bill to provide for the sale of the Western North Carolina Railroad to W. J. Best and others be taken up on its second reading, which prevailed.

On his further motion, the bill was postponed until 12 M., to-day, and made the special order for that hour.

On motion of Mr. Davidson, the rules were suspended, and

H. R. 10, S. R. 77, resolution for the relief of Noah H. Rice, was taken up and passed its several readings, and was ordered enrolled.

S. B. 67, bill to authorize the county commissioners of New Hanover county to adjust and settle the debts of the township of Wilmington, passed its second reading, ayes 41, noes none, as follows:

Those voting in the affirmative were

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Ross, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, White—41.

S. B. 69, bill to incorporate the town of Aurora, in Beaufort county, passed its several readings, and

On motion of Mr. Respass, was ordered to be sent to the House of Representatives without engrossment.

By consent

Mr. Henderson introduced

S. B. 89, bill concerning taxation and revenue.

On motion of Mr. Henderson, the rules were suspended, and the bill passed its several readings, and was ordered engrossed.

By consent,

Mr. Erwin introduced

S. B. 90, bill to incorporate the town of Burnsville, in Yancey county. Placed upon the Calendar.

By consent

Mr. King, from the committee on Engrossed Bills, reported as properly engrossed.

S. B. 47, bill to be entitled an act to expedite the trial of criminal actions upon their merits.

CALENDAR.

S. B. 70, bill to amend section 20, chapter 70, laws of 1879, on it second reading.

Pending consideration, the hour for the special order arrived, being S. B. 8, bill to provide for the sale of the State's interest in the Western North Carolina Railroad to W. J. Best and others.

On motion of Mr. Scales the special order was postponed ten minutes.

S. B. 70 was resumed, and passed its several readings.

By consent,

Mr. Snow introduced

S. B. 91, bill to amend section 1, chapter 257, laws of 1879. Placed upon the calendar.

S. B. 8, bill to provide for the sale of the State's interest in the Western North Carolina Railroad to W. J. Best and others, being the special order for this hour, was taken up on its second reading.

The substitute reported by the Joint Select Committee on the Western North Carolina Railroad was read.

Typographical error in section 25 was ordered to be corrected.

On motion of Mr. Dortch, the bill was considered by sections.

Sections 1, 2, 3, 4, 5, and 6, were read and adopted.

Section 7 was read.

Mr. Dortch moved to amend:

Strike out "one hundred and twenty-five dollars," and insert "two hundred dollars."

Mr. Leach asked for a division of the question.

The question recurring on the motion to strike out, it was lost.

Mr. Everett moved to amend:

After the word "convicts," in line 4, insert the words "if the State may have so many."

Lost.

Mr. Everett moved to amend:

Add at the end of the section: "Otherwise the obligation to furnish the hands ceases."

Lost.

Section 7 was adopted.

Section 8 was read.

Pending consideration,

On motion of Mr. Ross, the Senate adjourned until to-morrow morning at 10 o'clock.

NINTH DAY.

SENATE CHAMBER, March 24th, 1880.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

Petition and memorials were presented, as follows:

By Mr. Graham of Lincoln,

Petition of citizens of Lincoln and Catawba counties, asking prohibition of sale of liquors near Bethel Methodist Church, Lincoln county. Placed upon the Calendar.

By Mr. Scales,

Petition of citizens of High Point, Guilford county. Placed upon the Calendar.

By Mr. Nicholson,

Petition of Hon. W. M. Robbins and other citizens of Iredell, asking for an amendment to the Revenue Law of 1879. Referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting

H. B. 5, S. B. 92, bill to prohibit the sale of spirituous liquors within five miles of Hadnot, Bethlehem and Oak Grove churches, in Carteret county. Placed upon the Calendar.

H. B. 64, S. B. 93, bill to change the times of holding the Superior Courts in Jones and Carteret counties. Placed upon the Calendar.

House amendments to

S. B. 9, H. B. 76, bill to authorize the Board of Education of Edgecombe county to pay certain school claims.

On motion, the amendments were concurred in, and the bill ordered enrolled for ratification.

House amendments to

S. B. 22, H. B. 88, bill to prohibit the sale of intoxicating liquors in certain localities.

On motion, the amendments were concurred in, and the bill ordered enrolled for ratification.

H. B. 53. S. B. 99, bill to amend the charter of High Point, Guilford county. Referred to the committee on Corporations.

MESSAGE FROM THE GOVERNOR.

A message was received from his Excellency the Governor, transmitting an itemized report from the Steward of the Insane Asylum of the expenses of that Institution.

On motion of Mr. Scales, two hundred copies of the report was ordered printed for the use of the General Assembly.

Also, a message from his Excellency the Governor, transmitting the report of the Superintendent of the Asylum for the Deaf, the Dumb and the Blind. Placed upon the Calendar.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of, as follows:

By Mr. Alexander,

S. B. 94, bill to amend chapter 83, laws of 1879. Placed upon the Calendar.

By Mr. Eppes,

S. B. 95, bill to allow L. M. Long, late tax collector of Halifax county, to collect arrears of taxes for the year 1878. Placed upon the Calendar.

By Mr. Snow,

S. B. 96, bill to amend section 1, chapter 200, laws of 1879. Placed upon the Calendar.

By Mr. Brower,

S. R. 97, resolution concerning the Cape Fear and Yadkin Valley Railroad Company. Placed upon the Calendar.

By Mr. Nicholson,

S. B. 98, bill to amend section 22, chapter 70, laws of 1879. Referred to the committee on Finance.

REPORTS FROM COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the committee on Engrossed Bills,

By Mr. Shackelford as correctly engrossed,

S. B. 70, bill to amend section 20, chapter 70, laws of 1879.

S. B. 89, bill concerning taxes and revenues.

From the committee on Corporations,

By Mr. Waldo:

S. B. 64, bill to protect the State's interest in the North Carolina Railroad, and for other purposes, reporting it back without recommendation.

UNFINISHED BUSINESS.

The unfinished business of yesterday being

S. B. 8, bill to provide for the sale of the State's interest in the Western North Carolina Railroad, &c.

The substitute reported by the Joint Select Committee in relation to the Western North Carolina railroad, was adopted.

The Secretary proceeded to read the bill by sections.

Sections 8 and 9 were adopted.

Section 10 was read.

Mr. Snow moved to amend:

Add after the word "Murphy," in line 9, the words:

"Notwithstanding that the grantees, their assigns or the State shall fail to conduct, prosecute and complete the said work as provided in section 17 of this act, and this act shall be notice to all persons holding or purchasing any of said bonds authorized to be issued under this act of all its provisions."

Upon the amendment Mr. Snow demanded the ayes and noes, which were ordered, and the amendment was lost. Ayes 12, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Brower, Dortch, Eaves, Eppes, Graham of Montgomery, Holleman, King, Mitchell, Ross, Scales, Snow, White—12.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Caldwell, Davidson, Dillard, Erwin, Graham of Lincoln, Harriss, Henderson, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Stewart, Taylor, Waddell, Waldo, Ward, Williamson—27.

Section 10 was adopted.

Sections 11, 12 and 13 were adopted.

Section 14 was read.

Mr. Snow moved to amend:

Strike out all after the word "occur," in line 9, and insert in lieu thereof:

"The pay of said commissioners shall be borne by the State and shall be an amount only sufficient to pay their actual expenses while necessarily engaged in the performance of their duties."

Upon which he demanded the ayes and noes, which were

ordered, and the amendment was lost. Ayes 9, noes 31, as follows:

Those voting in the affirmative were:

Messrs. Bryan of Duplin, Bryan of Pender, Harriss, King, Mitchell, Moye, Ross, Snow and Waldo—9.

Those voting in the negative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bynum, Caldwell, Davidson, Dillard, Eaves, Erwin, Graham of Lincoln, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Nicholson, Redwine, Respass, Scales, Shackelford, Stewart, Taylor, Waddell, Ward, Williamson and White—31.

Section 14 was adopted.

Section 15 was adopted.

Section 16 was read.

Mr. Dortch moved to amend:

Strike out the words "but no damages shall be recoverable against the said grantees for any breach of said contract," and insert, "and if the said grantees, their successors or assigns, shall fail to complete said railroad to Paint Rock and Ducktown by the time named in this act, they shall forfeit to the State all rights under this act, and all work which they may have done on either or both lines of said road, and the State shall not in any manner refund to them any money they may have invested in said road and shall not be liable in damages."

Upon which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 15, noes 28, as follows:

Those voting in the affimative were:

Messrs. Black, Brower, Dortch, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, King, Mitchell, Ross, Scales, Shackleford, Waddell and White—15.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Erwin, Graham of Lincoln, Harriss, Henderson, Hoyle, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Snow, Stewart, Taylor, Ward and Williamson—28.

Section 16 was adopted.

On motion of Mr. Leach, the bill was postponed until to-morrow at 11 o'clock, and made special order for that hour.

On motion the Senate adjourned until to-morrow at 10 o'clock.

TENTH DAY.

SENATE CHAMBER, March 25th, 1880.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of, as follows:

By Mr. Respass,

Petition from the citizens of Hyde. Referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Reports from committees were submitted as follows:

By Mr. Scales,

Supplemental Report of Committee to superintend the election of Trustees for the University.

The report was read as follows:

"The Committee appointed to superintend the election of Trustees of the University of North Carolina, which took place on the 23rd day of January, 1879, to fill sixteen vacancies occurring by expiration of terms on the 30th day of November, 1879, having by accident omitted the name of Noah P. Foard, beg leave respectfully to make this supplemental report, to-wit:

That in the aforesaid election the said Noah P. Foard, to fill one of the aforesaid sixteen vacancies, received in the Senate forty-seven (47) votes, and in the House of Representative one hundred and seven (107) votes,—total one hundred and fifty-four votes; and that he, the said Noah P. Foard, was duly elected one of the sixteen Trustees aforesaid, and ought to be so declared.

(Signed,) J. I. SCALES,
G. B. EVERETT,
Senate Branch of Committee.
R. B. DAVIS,
House Branch of Committee."

The election of Mr. N. P. Ford was so declared in accordance with the above report.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

H. B. 86, S. B., 83, bill to protect the fish interests of North Carolina, reporting an amendment, and thus amended, recommending the bill do pass.

H. B. 67, S. B. 84, bill to prohibit the sale of intoxicating beverages at Elkville, in Wilkes county, and other places in this State, recommending that it do pass.

H. B. 84, S. B. 86, bill to construe an act to prohibit the

sale of liquor within two and a half miles of Hanks' Chapel in Chatham county, recommending it do pass.

H. B. 14, S. B. 40, bill to amend chapter 25, laws of 1876-'77, recommending it do pass.

From the committee on Corporations:

By Mr. Nicholson,

H. B. 53, S. B. 99, bill to amend the charter of High Point in Guilford county, recommending it do pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of, as follows:

By Mr. Bryan of Pender,

S. B. 100, bill to incorporate the Wilmington Market Company. Placed upon the Calendar.

By Mr. Harriss,

S. R. 101, resolution instructing the Public Treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones, deceased. Referred to the committee on Finance.

By Mr. McEachairn,

S. B. 102, Bill in regard to the collection of taxes in Robeson county. Placed upon the Calendar.

By Mr. Henderson,

S. R. 103, resolution concerning the binding of the Journals, Documents and Laws of the Extra Session of the General Assembly. Placed upon the Calendar.

By Mr. Snow,

S. B. 104, bill to amend section 1, chapter 194, laws of 1876–'77. Placed upon the Calendar.

By Mr. Taylor,

S. B. 105, bill to employ a messenger for the Supreme Court. Placed upon the Calendar.

By Mr. Nicholson,

S. R. 106, resolution in favor of C. Joiner, of Iredell county, who lost his right arm, taken off at the shoulder, in the

Confederate service. Referred to the committee on Finance.

On motion of Mr. Erwin, the rules were suspended, and

S. B 88, bill to amend an act to provide for laying off a road from Quaker Bridge in Jones county, to a point near Tar Landing in Onslow county, being chapter 260, laws of 1879, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Graham of Lincoln, the rules were suspended, and

S. B. 94, bill to amend chapter 83, laws of 1879, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Dortch, the rules were suspended, and

S. B. 91, bill to amend section 1, chapter 257, laws of 1879, was taken up, passed its several readings, and ordered sent to the House of Representatives without engrossment.

On motion of Mr. Brower, the rules were suspended, and

S. R. 97, resolution concerning the Cape Fear and Yadkin Valley Railway Company, was taken up on its second reading.

Mr. Scales moved to refer the resolution to the committee on the Judiciary.

Pending consideration, the hour for the consideration of

THE SPECIAL ORDER,

being

S. B. No. 8, bill to provide for the sale of the State's interest in the Western North Carolina Railroad to W. J. Best and others, arrived.

Mr. Erwin moved to postpone the special order for thirty minutes.

Upon division, the motion to postpone did not prevail.

The Special Order,

S. B. No. 8, bill to provide for the sale of the State's in-

terest in the Western North Carolina Railroad to W. J. Best and others, was taken up.

By consent, and

On motion of Mr. Williamson, a message was ordered to be sent to the House of Representatives asking a return to this body of S. B. 55, bill to amend chapter thirty-three, private laws of 1876–'77 sent to the House on yesterday.

The consideration of the special order was proceeded with.

Section 17 was read.

Mr. Dortch moved to amend:

Strike out in line 17, the words "as by law may be directed," and insert "if a future Legislature shall so direct."

Upon which he demanded the ayes and noes, which were ordered.

Mr. Leach demanded a division of the question.

The motion to strike out was lost, ayes 19 noes 27, as follows:

Those voting in the affirmative were:

Messrs. Black, Brower, Bryan of Duplin, Bull, Dancey, Dortch, Eppes, Erwin, Graham of Montgomery, Holleman, King, Mitchell, Ormand, Ross, Shackelford, Snow, Waddell, Ward and White—19.

Those voting in the negative were:

Messsrs. Alexander, Austin, Bledsoe, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Eaves, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Stewart, Taylor and Waldo—27.

Mr. Everett announced himself as paired with Mr. Williamson, who, if present, would vote in the negative, and he, Mr. E., in the affirmative.

Section 17 was adopted.

Section 18 was read.

Mr. King moved to amend:

Add after the word "act" in line 26, the following: "And in no contingency shall the said grantees enforce their said lein for such expenditures either in law or equity until the said road shall be completed to the town of Murphy, and if the said road shall never be so completed to said town, then and in that case the said lien shall not be enforced, but the same shall be treated as stock paid for in the said Western North Carolina Railroad Company for that amount."

Mr. Dortch demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 20 noes 26, as follows:

Those voting in the affirmative were:

Messrs. Black, Brower, Bynum, Dancey, Dortch, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, King, Mitchell, Ormand, Ross, Scales, Shackelford, Snow, Waddell, Ward and White—20.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Pender, Caldwell, Davidson, Dillard, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Steward, Taylor, Waldo and Williamson—26.

Section 18 was adopted.

Section 19 was adopted.

Section 20 was read.

Mr. Dortch offered the following substitute for the section:

"Sec. 20. That to prevent extortion upon the people of North Carolina, and unjust discriminations, the General Assembly shall have power, from time to time, in its discretion, to enact such laws as may be deemed necessary for the purpose of regulating the rates of fares and transportation on said railroad and its branches, and to prevent all discriminations against the seaports, cities and towns of the State."

Upon which Mr. Dortch demanded the ayes and noes, which were ordered, and the substitute was lost; ayes 20, noes 27, as follows:

Those voting in the affirmative were:

Messrs. Black, Brower, Bynum, Dancey, Dortch, Eppes, Everett, Graham of Montgomery, Holleman, King, McEachairn, Mitchell, Ormand, Ross, Scales, Shackelford, Snow, Waddell, Ward and White—20.

Those voting in the negative, were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dillard, Eaves, Erwin, Graham of Lincoln, Harriss, Henderson, Hoyle, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Stewart, Taylor, Waldo and Williamson—27.

Mr. Dortch submitted the following as a substitute for section 20:

"That like total rates of transportation charged over said Western North Carolina Road and other roads with which it may at any time form through lines of traffic to or from or through seaports in adjacent or other States, shall likewise be enjoyed on traffic to or from or through seaports within the State of North Carolina.

That the foregoing provision shall apply as well to traffic interchanged with future connections of said Western North Carolina Road as those contemplated at the time of this agreement.

That on traffic passing over its line to or from points within the State of North Carolina, the Western North Carolina Railroad will neither charge nor participate in higher rates than may be applied on like traffic between points in adjacent States that are of similar distance from the destination thereof as are said points within the State.

That interchange of cars at junction points with roads of different gauge shall be without hindrance, said roads furnishing the necessary trucks suitable to their gauge.

That the legislature of North Carolina shall enforce the observance of these conditions (when necessary) by appropriate legislation."

Upon which he demanded the ayes and noes, which were ordered, and the substitute was lost; ayes 15, noes 27, as follows:

Those voting in the affirmative were:

Messrs. Dancey, Dortch, Eppes, Everett, Graham of Montgomery, King, Mitchell, Ormand, Ross, Scales, Shackelford, Snow, Waddell, Ward and White—15.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dillard, Eaves, Erwin, Graham of Lincoln, Harriss, Henderson, Hoyle, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Stewart, Taylor, Waldo and Williamson—27.

Section 20 was adopted.

Sections 21, 22, 23, 24, 25, 26, were adopted.

Question recurred upon the passage of the bill on its second reading.

Mr. Bryan of Pender moved to amend:

In line 9, section 10, after the word "Murphy," insert: "by W. J. Best, his associates and assigns."

Lost.

Upon the passage of the bill on its second reading, Mr. Dortch demanded the ayes and noes, which were ordered, and the bill passed its second reading; ayes 36, noes 11, as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Eaves, Erwin, Graham of Lincoln, Harriss, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEach-

airn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson and White—37.

Those voting in the negative were:

Messrs. Black, Brower, Bull, Dancy, Dortch, Eppes, Everett, Graham of Montgomery, King, Mitchell, Ormand and Ross—12.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives returning to the Senate in accordance with its request,

S. B. 55, bill to amend chapter 33, private laws of 1876 and 1877.

Also transmitting a message from his Excellency the Governor, in relation to the Western Insane Asylum, with accompanying document.

On motion of Mr. Bynum, two hundred copies of the report of the Commissioners for the Western Insane Asylum were ordered printed for the use of the General Assembly.

Also a message transmitting House amendment to

S. B. 34, H. B. 106, bill to authorize the establishment of graded schools in Salisbury and in the township of Goldsboro.

On motion of Mr. Henderson, the amendment was concurred in, and the bill was ordered enrolled for ratification.

MESSAGE FROM THE GOVERNOR.

A message was received from his Excellency the Governor, transmitting the report of the steward of the State Penitentiary, in response to the resolution of the Senate.

On motion of Mr. Graham, of Lincoln, the reports of the stewards of the Penitentiary, and of the Asylum for the Deaf, the Dumb and the Blind, were ordered to be printed.

Mr. Williamson moved to reconsider the vote by which S. B. 55, bill to amend chapter 33, private laws of 1876–'77, passed its third reading on yesterday; and moved further that the motion to reconsider be postponed until to-morrow.

Prevailed.

On motion of Mr. Henderson, the rules were suspended, and

S. R. 103, resolution concerning the binding of the journals, documents, and laws of the extra session of the General Assembly, was taken up on its second reading.

Pending consideration,

Mr. Everett moved to adjourn until to-morrow morning at 10 o'clock.

Mr. Caldwell moved to amend, by inserting:

"To-night at half-past seven o'clock."

Lost.

The motion of Mr. Everett was adopted.

ELEVENTH DAY.

SENATE CHAMBER, March 26th, 1880.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

Petitions and memorials were presented as follows:

By Mr. Scales:

Memorial from the Independent Order of Good Templars.
Placed upon the calendar.

REPORTS FROM STANDING COMMITTEES.

Reports from committees were submitted as follows:
From the committee on Corporations:
By Mr. Eppes,
H. B. 22, S. B. 85, bill to incorporate the town of Middleburg, in Warren county, recommending it do pass.
From the committee on Finance.
By Mr. Henderson:
S. R. 101, resolution instructing the public Treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones, deceased.
From the Joint Committee in relation to the Western North Carolina Railroad,
By Mr Leach.,
Report of the committee upon the proposition of Geo. A. Fitch for the purchase of the State's interest in the Atlantic and North Carolina, North Carolina, and Western North Carolina Railroads.
The report was read as follows:

"The Joint Select Committee to whom was referred a proposition by George A. Fitch to purchase the Western North Carolina railroad, the North Carolina railroad, and the Atlantic and North Carolina railroad, beg leave to report:

"The said George A. Fitch appeared before the committee and was tried and examined touching his proposition, and having failed to offer any guarantees of ability to carry out his proposition, in case of its acceptance by the State, and having failed to make a reasonable and satisfactory showing as to the parties whom he professed to represent, the committee have unanimously instructed us to report the

same back, because, in the opinion of the committee, the proposition is not worthy of further consideration by the General Assembly, and your committee ask to be discharged from its further consideration.

(Signed.)

J. M. LEACH,
Chrm'n Senate Branch Com.
M. E. CARTER,
Chrm'n House Branch Com.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of as follows:

By Mr. Lyon:

S. B. 107, bill for the relief of peddlers in tobacco. Referred to the committee on Propositions and Grievances.

By Mr. Scales:

S. B. 108, bill to change the law of evidence in relation to the sale of spirituous and malt liquors. Placed upon the calendar.

By Mr. Henderson:

S. B. 109, resolution on adjournment.

Mr. Henderson moved the rules be suspended and the resolution be taken up for consideration, which prevailed.

The resolution was taken up and adopted, and ordered to be sent to the House of Representatives without engrossment.

By Mr. Bryan of Pender:

S. B. 110, bill to amend section 10, of the Revenue Act, laws of 1879. Referred to the committee on Finance.

On motion of Mr. Brower the rules were suspended, and

S. R. 97, resolution concerning the Cape Fear and Yadkin Valley Railway Company, was taken up on its second reading.

Mr. White moved to mend:

Insert: *Therefore Resolved*, That the $50,000 appropriated to the Yadkin Valley Railway, acts of 1879, be and the same is repealed."

On motion of Mr. Scales the resolution and amendment were referred to the Committee on the Judiciary.

On motion of Mr. Eppes the rules were suspended and

S. B. 95, bill to allow L. M. Long, late tax collector of Halifax county, to collect arrears of taxes for the year 1878, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Harriss the rules were suspended and

S. R. 101, resolution instructing the public treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones, deceased, was taken up, passed its several readings and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Davidson the rules were suspended and

H. R. 11, S. R. 75, resolution for the relief of Tisdell Walton, was taken up, passed its several readings, and was ordered enrolled.

On motion of Mr. Snow, the rules were suspended, and

S. B. 103, bill to amend section 1, chapter 134, laws of 1876–'77, was taken up on its second reading.

Mr. Lyon moved to amend by inserting "Granville."

Adopted.

Bill then passed its several readings, and was ordered to be sent to the House of Representatives without engrossment.

On motion the rules were suspended and

S. B. 105, bill to employ a messenger for the Supreme Caurt, was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

The Committee on Enrolled Bills reported as correctly enrolled

An act to amend the charter of the Cape Fear and Yadkin Valley Railway Company.

An act to amend section 1, chapter 206, laws of 1879.

An act authorizing and empowering the county commissioners of Union county to apply their surplus railroad fund to the school or general fund.

An act to amend chapter 249, section 1, laws of 1874-'75.

Resolution in favor of Noah H. Rice.

An act to extend the time to redeem land sold to the state for taxes.

An act to prohibit the sale of intoxicating liquors in certain localities.

An act to make the killing of live stock by the cars and engines running on railroads in the state indictable.

An act concerning the holding of the superior courts for the counties of Beaufort and Martin.

An act to amend section 23, chapter 70, of the public laws of 1879, entitled "An act to raise revenue."

An act to incorporate "The Durham Railroad Company."

An act to classify the public roads of Buncombe and other counties.

An act to amend section 2, chapter 118, Battle's Revisal.

An act to amend chapter 293, laws of 1879.

An act to provide for the removal of causes in courts of justices of the peace.

Resolution requiring the Secretary of State to purchase a map for the use of the Senate.

An act to construct a bridge over the Tuckasiege River in Jackson county.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting

H. R. 18, S. R. 111, resolution relating to the Centennial of the Battle of King's Mountain. Placed upon the Calendar.

H. B. 137, S. B. 112, bill to amend an act to prohibit the sale of intoxicating liquors in certain localities. Placed on the Calendar.

H. B. 46, S. B. 113, bill to amend chapter 40, section 2, laws of 1879. Referred to the Committee on the Judiciary.

H. B. 119, S. B. 114, bill to amend the charter of the Atlanta and Charlotte Air Line Railway Company. Placed upon the Calendar.

H. B. 61, S. B. 115, bill to amend the laws of 1879, chapter 104. Placed upon the Calendar.

H. B. 132, S. B. 116, bill to incorporate the town of Randleman Mills, in the county of Randolph. Placed upon the Calendar.

H. B. 99, S. B. 117, bill to incorporate the town of Mebanesville, in Alamance county. Placed upon the Calendar.

H. B. 136, S. B. 118, bill to amend chapter 82, laws of 1879, entitled an act to provide for the keeping in repair the public roads of the State. Placed upon the Calendar.

Also transmitting the supplemental report of the committee to superintend the election of trustees of the University of North Carolina.

By consent,

Mr. McEachairn introduced

S. B. 119, bill to amend chapter 130, laws of 1874–'75. Placed on the Calendar.

By consent,

Mr. Nicholson introduced,

S. B. 120, bill to authorize James C. Anderson, former tax collector for the town of Statesville, to collect arrears of taxes. Placed on the Calendar.

On motion of Mr. Alexander, the rules were suspended, and

H. B. 129, S. B. 113, bill to amend the charter of the At-

lanta and Charlotte Air Line Railway Company, was taken up, passed its several readings, and was ordered enrolled.

On motion of Mr. Erwin, the rules were suspended, and

S. B. 90, bill to incorporate the town of Burnsville, in Yancey county, was taken up, passed its several readings, and was ordered to be sent to the House of Representatives without engrossment.

On motion of Mr. Scales, the rules were suspended, and

S. R. 59, resolution in relation to the Centennial celebration of the Battle of Guilford Court House was taken up and adopted, and ordered sent to the House of Representatives without engrossment.

On motion of Mr. Hoyle, the rules were suspended, and

H. R. 18, S. R. 111, resolution relating to the Centennial celebration of the Battle of King's Mountain was taken up on its second reading.

Mr. Everett moved to amend:

Strike out "fifteen hundred dollars," and insert "one thousand dollars."

Mr. Bynum moved to amend the amendment:

Strike out "one thousand dollars" and inset "five hundred dollars."

Lost.

Mr. Everett's amendment was lost.

Mr. White moved to amend:

Strike out all after "fifteen hundred dollars," and insert "one thousand dollars for the purpose of erecting a religious edifice to worship the Prince of Peace in."

Mr. Leach demanded the previous question, which was sustained.

The amendment of Mr. White was lost.

On the second reading of the resolution,

Mr. Bynum demanded the ayes and noes, which were ordered, and the resolution passed its several readings, ayes 34, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bull, Caldwell, Dancey, Davidson, Dillard, Eaves, Erwin, Everett, Graham of Lincoln, Harriss, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Respass, Ross, Scales, Shackelford, Snow, Stewart, Taylor, Waddell and Waldo—34.

Those who voted in the negative were:

Messrs. Black, Bryan of Pender, Bynum, Graham of Montgomery, Holleman, Redwine, Ward, Williamson and White—9.

The resolution was then put upon its third reading, and passed, and was ordered enrolled.

On motion of Mr. McEachairn, the rules were suspended, and

S. B. 102, bill in regard to the collection of taxes in Robeson county was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Scales, the rules were suspended, and

H. B. 53, S. B. 99, bill to amend the charter of High Point, in the county of Guilford, was taken up and passed its second reading, ayes 38, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Harriss, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackelford, Snow, Stewart, Waddell, Ward and White—38.

On motion of Mr. Scales, the rules were suspended, and S. B. 8, bill to provide for the sale of the State's interest in the Western North Carolina Railroad to W. J. Best and others, was taken up on its third reading.

Mr. Everett offered a substitute for the bill.

On motion, the bill and substitute was laid upon the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting,

H. B. 151, S. B. 127, bill in relation to the Western North Carolina Railroad. Placed upon the Calendar.

On motion of Mr. Leach, the rules were suspended, and H. B. 151, S. B. 121, bill in relation to the Western North Carolina Railroad was taken up on its second reading, and passed.

The bill was then put upon its third reading.

Mr. Everett offered a substitute for the bill.

Mr. Alexander demanded the previous question.

Mr. Bynum gave notice of an amendment.

The demand for the previous was not sustained.

Upon the adoption of the substitute

Mr. Everett demanded the ayes and noes, which were ordered, and the substitute was lost, ayes 10, noes 30, as follows:

Those voting in the affirmative, were:

Messrs. Black, Bull, Dancey, Eppes, Everett, Graham of Montgomery, Ormand, Ward, and White.—10.

Those voting in the negative, were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Eaves, Erwin, Graham of Lincoln, Harriss, Henderson, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackelford, Snow, Taylor, Waddell, and Waldo.—30.

Mr. Bynum's amendment was read as follows:

SEC. —. That the grantees or their assigns shall pay to the commissioners of the county of Burke the sum of $25,000, and to the commissioners of the county of McDowell the sum of $25,000, and the said commissioners of the above mentioned counties shall set over and assign to the said grantees or assigns the stock in the Western North Carolina Railroad Company, owned by said counties, the amount of said stock being 500 shares in the name of the county of Burke, and 500 shares in the name of the county of McDowell, under the original act incorporating said company in 1854–'55."

Mr. Black moved to adjourn until to-morrow morning at 10 o'clock.

Mr. Bynum moved to amend by saying to-night at 8 o'clock. Lost.

Mr. Black's motion was lost.

Mr. Erwin demanded the previous question.

Mr. Eppes gave notice of an amendment.

The demand for the previous question was sustained.

Mr. Bynum's amendment was lost.

Mr. Eppes' amendment was read:

Strike out in line 3, section 7, the word "shall" and insert the word "may."

Lost.

The question recurring upon the passage of the bill its third reading.

Mr. Snow demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 40, noes 6, as follows:

Those voting in the affimative were:

Mr. President, Messrs. Alexander, Austin, Bledsoe, Bryan

of Duplin, Bynum, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White.—40.

Those voting in the negative were:

Messrs. Black, Bull, Everett, Mitchell, Ormand, and Ross. —6.

Mr. Leach moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table. The latter motion prevailed.

By consent,

Mr. Bynum introduced,

S. R. 122, resolution to provide for a deficit in the Treasury. Placed upon the Calendar.

By consent,

Mr. Ormand introduced

S B. 123, bill to amend chapter 70, laws of 1879, an act to raise revenue. Placed upon the Calendar.

Mr. Austin moved to adjourn until to morrow morning at 10 o'clock.

Mr. Bynum moved to amend:

Strike out "to-morrow at 10 o'clock" and insert "to-night at 8 o'clock

Lost.

The motion of Mr. Austin prevailed.

TWELFTH DAY.

SENATE CHAMBER, March 27th, 1880.

The Senate met pursuant to adjournment.

The Journal of Saturday was read and approved.

PETITIONS AND MEMORIALS.

Petitions and memorials were submitted as follows:

By Mr. Erwin,

Petition of watchman and employees of the capitol for increase of pay. Placed upon the Calendar.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

FROM THE COMMITTEE ON FINANCE.

By Mr. White,

H. R. 17, S. R. 74, resolution in relation to the room of the keeper of the capitol, recommending it do pass.

By Mr. Henderson,

S. R. 106, resolution in favor of C. Joiner, of Iredell county, who lost his right arm, taken off at the shoulder, in the Confederate service, recommending it do pass.

By Mr. Graham of Lincoln,

S. B. 98, bill to amend section 22, chapter 70, laws of 1879, recommending it do not pass.

FROM THE COMMITTEE ON INTERNAL IMPROVEMENTS.

By Mr. Leach,

H. B. 47, S. B. 82, bill for the more speedy procurement of the right of way by the Taylorsville Railroad Company, recommending it do pass.

FROM THE COMMITTEE ON THE JUDICIARY.

By Mr. Henderson,

H. B. 24, S. B. 53, bill relating to roads and other public works in the county of Lenoir, recommending it do pass.

The Committee on Enrolled Bills reported as correctly enrolled:

An act to amend an act relating to roads and highways.

An act to amend chapter 257, section 1, of the laws of 1879.

An act for the relief of Beaufort county.

An act to change the time of holding the courts in the fourth judicial district.

An act for the protection of crops in Rowan county.

An act to authorize the board of education of Edgecombe county to pay certain school claims.

Resolution in relation to Tisdell Walton, of Buncombe county.

An act to amend the charter of the Atlanta and Charlotte Air Line Railway Company.

Resolution of instruction to the Governor.

An act to authorize the establishment of graded schools in the town of Salisbury and in the township of Goldsboro.

Resolution relating to the Centennial of the Battle of Kings Mountain.

FROM THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

By Mr. Bynum,

Report of the committee upon the contested election from the second Senatorial district.

The report was read as follows:

"The Committee on Privileges and Elections, to whom was referred S. R. 25, resolution of instruction to the Committee on Privileges and Elections, have unanimiously instructed me as chairmon of said committee to report back to the Senate that they have examined with great care and deliberation the contested seat of Mr. Waldo, and from the great defects appearing upon the face of the notice of contest and the matters of law arising thereupon, they are unable, satisfactorily to themselves to form an opinion as to whether Mr. Waldo or Mr. Carrow is in law entitled to the seat; therefore they report it back with the evidence, without prejudice to either party and with no recommendation to the Senate as to the action they shall adopt."

(Signed) BYNUM,
Chairman of Committee.
W. M. BLACK,
F. D. DANCEY,
JAMES T. RESPASS,
S. B. ALEXANDER,
D. P. McEACHAIRN,
T. W. TAYLOR,
W. S. HARRISS,
Committee.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of, as follows:

By Mr. Davidson,

S. B. 124, bill to provide for the sale of the State's interest in the Atlantic and North Carolina Railroad. Placed upon the Calendar.

By Mr. Brower,

S. R. 125, resolution in favor of H. W. Miller, page of the Senate. Placed upon the Calendar.

By Mr. Everett,

S R. 129, resolution to pay S. T. Carrow. Placed upon the Calendar.

By Mr. Snow,

S. B. 131, bill concerning the drawing of juries in Wake counties. Placed upon the Calendar.

By Mr. Leach,

S. B. 132, bill to amend an act to prohibit the sale of intoxicating liquors in certain localities. Placed upon the Calendar.

By Mr. Scales,

S. B. 140, bill to amend chapter 260, laws of 1876–'77, with reference to "Piedmont Springs." Placed upon the Calendar.

By Mr. Merritt,

S. B. 141, bill to submit the question of "Prohibition or No Prohibition," in the county of Chatham on the second Thursday in June instead of the first. Placed upon the Calendar.

By Mr. Alexander,

S. R. 142, resolution in favor of D. W. Furman and J. C. Syme. Placed upon the Calendar.

By Mr. Bull,

S. B. 143, bill to amend chapter 24, private laws of 1879, entitled an act to amend chapter 105, private laws of 1876–'77. Placed upon the Calendar.

S. B. 144, bill to amend chapter 8, Battle's Revisal, entitled auction and auctioneers. Placed upon the Calendar.

S. B. 145, bill to amend chapter 23, section 4, Battle's Revisal. Placed upon the Calendar.

By Mr. McEachairn,

S. R. 146, resolution limiting the introduction of bills and resolutions. Placed upon the Calendar.

By Mr. Leach,

S. B. 151, bill to repeal section 14, chapter 240, laws of 1879. Placed upon the Calendar.

By Mr. McEachairn,

S. R. 152, resolution in regard to the pages of the Senate. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting

H. B. 113, S. B. 126, bill to create a new township in the county of Gaston. Placed upon the Calendar.

H. B. 38, S. B. 127, bill to amend the Revenue Act of 1879. Placed upon the Calendar.

H. B. 171, S. B. 128, bill to authorize the sale of the State's interest in the Western North Carolina Railroad. Placed upon the Calendar.

H. B. 114, S. B. 130, bill to amend chapter 232, laws of 1879. Placed upon the Calendar.

H. B. 21, S. B. 134, bill to give sub-contractors, laborers and material men a lien for their just claims. Placed upon the Calendar.

Also a message transmitting without engrossment

House amendment to

S. B. 42, H. B. 90, bill to amend an act to incorporate the Granville Railroad Company.

On motion, the amendment was concurred in.

H. R. 25, S. R. 135, resolution in favor of J. W. Rogers. Placed upon the Calendar.

H. B. 175, S. B. 136, bill to amend an act to prevent live stock from running at large in the counties of Rowan, Davie, Cabarrus and other counties. Placed upon the Calendar.

H. B. 43, S. B. 1137, bill to amend chapter 69, Battle's Revisal. Placed upon the Calendar.

H. B. 133, S. B. 138, bill to incorporate the Coast Turnpike Company. Placed upon the Calendar.

Engrossed H. B. 134, S. B. 139, bill to amend chapter 260, laws of 1876–'77, and to prohibit the sale of spirituous liquors

within two miles of Mann's Chapel, in Chatham county. Placed upon the Calendar.

Without engrossment,

H. B. 153, S. B. 147, bill to incorporate the Historical and Scientific Society of Wilmington. Placed upon the Calendar.

H. B. 75, S. B. 148, bill for the better protection of the navigation of the Albemarle Sound and its tributaries. Placed upon the Calendar.

H. B. 138, S. B. 149, bill to amend section 8, chapter 7, Battle's Revisal. Placed upon the Calendar.

H. B. 162, S. B. 150, bill to authorize A. M. Powell and others, to erect a toll bridge across the Catawba river near Wide Shoals. Placed upon the Calendar.

Also, a message asking to recall the House amendment to S. B. 42, H. B. 90, bill to amend an act to incorporate the Granville Railroad Company.

On motion, the calendar was placed under the control of the President for the remainder of the session.

S. R. 125, resolution in favor of H. W. Miller, Page of the Senate, was taken up, passed, and was ordered sent to the House of Representatives without engrossment.

S. R. 122, resolution to provide for a deficit in the public treasury, was taken up on its second reading.

Mr. Henderson moved to lay the resolution on the table, upon which

Mr. Bynum called for the ayes and noes, which were ordered, and the motion to table prevailed; ayes 29, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Dillard, Eaves, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, Merritt, Nicholson, Ormand, Redwine, Shackelford, Snow, Taylor, Waddell, Ward and White—29.

Those voting in the negative, were:

Messrs. Bynum, Davidson, Dortch, Erwin, Harriss, McEachairn, Mebane, Mitchell and Ross—9.

S. B. 131, bill concerning the drawing of juries in Wake county, passed its several readings and was ordered sent to the House of Representatives without engrossment.

H. B. 136, S. B. 118, bill to amend chapter 82, laws of 1879, act to provide for keeping in repair the public roads of the State, was taken up on its second reading.

Mr. Everett moved to amend:

Add the following section: "That the public roads of Forsythe and Stokes shall be worked exclusively under the provisions of chapter 83, laws of 1879, and as amended at this special session; and all laws in conflict with this section are hereby repealed."

Mr. Davidson moved to amend:

Insert in the proviso, in last section, the words "Buncombe and Madison."

Mr. Austin moved to lay the bill on the table, upon which Mr. Harriss demanded the ayes and noes, which were ordered, and the motion to table was lost; ayes 13, noes 29, as follows:

Those voting in the affirmative, were:

Messrs. Austin, Caldwell Davidson, Dillard, Everett, Graham of Lincoln, Graham of Montgomery, Hoyle, Leach, McEachairn, Mebane, Redwine, and Ross—13.

Those voting in the negative were:

Messrs. Alexander, Black, Bryan of Duplin, Bryan of Pender, Bynum, Dancey, Dortch, Eaves, Eppes, Erwin, Harriss, Henderson, Holleman, Lyon, Matheson, Merritt, Mitchell, Moye, Ormand, Respass, Scales, Shackelford, Snow, Taylor, Waddell, Waldo, Ward, Williamson and White—29.

Mr. Everett's amendment was lost.

Mr. Davidson's amendment was lost.

Mr. Caldwell moved to lay the bill on the table.

Lost.

Mr. Taylor moved to amend:

Insert in the proviso in the last section the word "Henderson."

Lost.

Mr. Everett moved to indefinitely postpone.

Lost.

Question recurring upon the pasage of the bill upon its second reading.

Mr. Harriss demanded the ayes and noes, which were ordered, and the bill passed its second reading. Ayes 34, noes 6, as follows:

Those voting in the negative were:

Messrs. Austin, Black, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Dancey, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, King, Lyon, Matheson, Mebane, Mitchell, Moye, Nicholson, Ormand, Respass, Ross, Scales, Snow, Taylor, Waddell, Waldo and Ward—34.

Those voting in the negative were:

Messrs. Bledsoe, Caldwell, Davidson, Dillard, Hoyle, Redwine—6.

The bill was then put upon its third reading.

Mr. Everett moved to amend:

Add the following section:

"That the public roads of Forsythe and Stokes shall be worked exclusively under the provisions of chapter 83, laws of 1879, and as amended at this special session; and all laws in conflict with this section are hereby repealed."

Adopted.

Mr. Davidson moved to amend:

Insert in proviso in last section the words, " Henderson, Buncombe, Madison, Cleaveland and McDowell."

Adopted.

Bill then passed its third reading, and the amendments were order engrossed.

H. B. 24, S. B. 53, bill relating to roads and other public works in the county of Lenoir, passed its several readings, and was ordered enrolled.

S. B. 71, bill to prevent the felling of trees below the south-west bridge in the south-west branch of Neuse River, in Onslow county, passed its several readings and was ordered engrossed.

S. R. 103, resolution concerning the binding of the journals, documents and laws of this extra session of the General Assembly passed its several readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 100, bill to incorporate the Wilmington Market Company passed its several readings, and was ordered sent to the House of Representatives without engrossment.

Mr. Everett moved to take up the report of the committee on Privileges and Elections upon the contested seat of the Senator from the second Senatorial district with accompanying papers, for immediate consideration.

Lost.

H. B. 132, S. B. 116, bill to incorporate the town of Randleman's Mills in the county of Randolph.

On motion it was laid on the table.

S. B. 125, bill to provide for the sale of the State's interest in the Atlantic and North Carolina Railroad Company on its second reading.

Mr. Dortch moved to amend:

Strike out the name of "W. T. Dortch," and insert "E. B. Borden."

Mr. Graham of Lincoln moved to amend:

Insert, "And the Treasurer shall invest the proceeds in the purchase of new four per cent. bonds of the State, or purchase money may be paid in said new bonds."

Mr. McEachairn moved to amend:

By ordering, "This Mullet road be sold to W. J. Best and Company."

On motion of Mr. Erwin the bill and amendments were laid upon the table.

Mr. Scales moved to reconsider the vote by which

H. B. 132, S. B. 116, bill to incorporate the town of Randleman's Mills in the county of Randolph was laid upon the table, which prevailed.

Question recurring upon the passage of the bill its second reading,

Mr. Scales moved to amend: Strike out section 6. Adopted.

Bill then passed its several readings.

H. B. 67, S. B. 84, bill to prohibit the sale of intoxicating beverages at Elkville in Wilkes county and other places in the State, passed its several readings and was ordered enrolled.

H. B. 53, S. B. 99, bill to amend the charter of High Point in Guilford county, passed its third reading. ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bryan of Pender, Dancey, Davidson, Dillard, Dortch, Eppes, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, King,

Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Nicholson, Redwine, Respass, Scales, Taylor, Waddell and White. —28.

Mr. Ward from the committee on Engrossed Bills, reported as properly engrossed,

Senate amendments to

H. R. 136, S. B. 118, bill to amend chapter 82, laws of 1879, entitled an act to provide for keeping in repair the public roads of the State.

S. B. 71, bill to prevent the felling of trees below the Southwest bridge on the Southwest branch of New river in Onslow county.

Senate amendments to

H. B. 132, S. B. 116, bill to incorporate the town of Randleman's Mills in Randolph county.

CALENDAR.

S. R. 142, Resolution in favor of D. W. Furman and J. C. Syme, passed its several readings and was ordered sent to the House of Representatives without engrossment.

H. B. 99, S. B. 117, bill to incorporate the town of Mebanesville in Alamance county, passed its several readings and was ordered enrolled.

H. B. 22, S. B. 85, bill to incorporate the town of Middleburg in Warren county, passed its several readings and was ordered enrolled.

H. B. 38, S. B. 127, bill to amend the revenue laws of 1879, was taken up on its second reading.

Mr. Merritt moved to lay the bill upon the table, upon which

Mr. Snow demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 22, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Pender, Bull, Caldwell, Dortch,

Erwin, Graham of Lincoln, Harriss, Hoyle, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Scales, Waddell, Ward and White.—22.

Those voting in the negative were:

Messrs. Brower, Bynum, Davidson, Dillard, Eaves, Everett, Holleman, McEachairn, Mitchell, Ormand, Respass, Snow and Taylor.—13.

H. B. 61, S. B. 115, bill to amend the laws of 1879, chapter 104, on its second reading.

Mr. White moved to amend:

Insert "provided said corporation pays to the State $125 per capita per annum."

Lost.

Bill passed its several readings and was ordered enrolled.

H. B. 175, S. B. 136, bill to amend the act to prevent live stock from running at large in Rowan, Davie, Cabarrus and other counties, passed its several readings, and was ordered enrolled.

Indefinite leave of absence was granted Mr. Austin.

Mr. Redwine moved to adjourn until Monday morning at 10 o'clock.

Mr. Bynum moved to amend by striking out "Monday morning at 10 o'clock," and inserting "to-night at 8 o'clock." Lost.

Mr. Snow moved to amend by striking out "Monday morning at 10 o'clock," and inserting "to-night at half past seven o'clock;"

Upon which he demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 24, noes 18, as follows:

Those voting in the affirmative, were:

Messrs. Austin, Black, Bledsoe, Brower, Bull, Bynum, Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Henderson, Holleman, Lyon, Matheson, Merritt, Mitchell,

Nicholson, Ormand, Scales, Shackelford, Snow, Ward and White—24.

Those voting in the negative were:

Messrs. Alexander, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dillard, Erwin, Graham of Lincoln, Hoyle, King, Leach, McEachairn, Mebane, Moye, Redwine, Respass, Taylor and Waddell—18.

The Senate was declared adjourned until to-night at half-past seven o'clock.

NIGHT SESSION.

SENATE CHAMBER, March 27th, 1880.

The Senate met pursuant to adjournment.

Mr. Henderson in the chair.

Mr. Robinson moved to reconsider the vote by which

H. B. 38, S. B 127, bill to amend the revenue act of 1879, was laid on the table this morning.

Mr. Merritt moved to lay the motion to reconsider on the table.

On division the motion was lost.

The motion to reconsider prevailed.

The bill was then taken up, passed its several readings and was ordered enrolled.

Mr. Snow moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

H. B. 153, S. B. 147, bill to incorporate the Historical and Scientific Society of the city of Wilmington, passed its several readings and was ordered enrolled.

H. B. 86, S. B. 88, bill to protect the fish interests of North Carolina, on its second reading.

Mr. Erwin moved to amend:

Add "Cane river from mouth of same to mouth of Balling Creek, in Yancey county; also Old Fields of Tow on North Tow rivers in Mitchell county."

Adopted.

The amendment reported by the committee on Propositions and Grievances was adopted.

Mr. Davidson moved to amend:

Strike out the words "North Fork of," and the words "to Burnetts," so the clause shall read "Swanannoa river."

Adopted.

Mr. Redwine moved to amend:

Insert "No seine shall run from the mouth of Black river on the Cape Fear river, between Fayetteville and said mouth more than half way the channel; and no floating or shad drift nets shall run between Fayetteville and Wilmington from Friday evening sunset, until Monday morning sunrise."

Adopted.

Bill then passed its several readings, and the amendments were ordered engrossed.

H. B. 21, S. B. 134, bill to give sub-contractors, laborers, and material men a lien for their just claims, on its second reading.

Mr. Scales moved to amend:

Add after section one, "Provided that the sum total of all the liens due sub-contractors and material men shall not exceed the amount due the original contractor at the time of the notice given."

Adopted.

On passage of the bill on its second reading,

Mr. Erwin demanded the ayes and noes, which were ordered, and the bill passed its second reading; ayes 35, noes 3, as follows:

Those voting in the affirmative were

Messrs. Alexander, Black, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harriss, Holleman, Hoyle, Leach, Lyon, McEachairn, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackelford, Snow, Taylor, Ward and White—35.

Those voting in the negative were:

Messrs. Bryan of Duplin, Mebane and Williamson—3.

Bill then passed its third reading, and the amendment was ordered engrossed.

H. B. 17, S. B. 74, resolution in relation to the room of the Keeper of the Capitol, passed its several readings and was ordered enrolled.

S. R. 129, resolution to pay S. T. Carrow, on second reading.

On passage of the resolution on its second reading,

Mr. Bynum demanded the ayes and noes, which were ordered, and the resolution passed: ayes 26, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Black, Brower, Bull, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Everett, Graham of Montgomery, Harriss, Holleman, Hoyle, Leach, Lyon, Matheson, McEachairn, Moye, Nicholson, Ormand, Scales, Snow, Taylor, Ward and White—26.

Those voting in the negative were:

Messrs. Alexander, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Erwin, Graham of Lincoln, King, Mebane, Merritt, Redwine, Respass, Shackelford, Waddell and Williamson—15.

Resolution then passed its third reading and was ordered engrossed.

By consent,

Mr. Brower introduced

S. R. 175, resolution to reduce the taxes of the State. Placed upon the Calendar.

H. R. 25, S. R. 135, resolution in favor of I. W. Rogers, on its second reading.

On passage of the resolution on its second reading,

Mr. Erwin demanded the ayes and noes, which were ordered, and the resolution passed its second reading; ayes 28, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dillard, Eaves, Eppes, Everett, Graham of Montgomery, Harriss, Hoyle, Leach, Lyon, McEachairn, Mebane, Merritt, Moye, Ormand, Respass, Taylor, Ward and White—28.

Those voting in the negative were:

Messrs. Erwin, Holleman, Matheson, Nicholson, Redwine, Scales, Waddell and Williamson—8.

Bill then passed its third reading, and was ordered enrolled.

H. B. 113, S. B. 126, bill to create a new township in the county of Gaston, passed its several readings, and was ordered enrolled.

Mr. Robinson asked that the Committee on Enrolled Bills be instructed to omit from the enrolled bill (S. B. 42, H. B. 90, bill to amend the charter of the Granville Railroad Company,) an amendment in the following words:

"Amend by striking out 'some point on the North Carolina Railroad,' and inserting "Durham, Orange county."

Said amendment being in no sense germane to the bill, it was so ordered.

By consent,

Mr. Davidson introduced,

S. R. 176, resolution instructing the Governor to employ counsel, &c.

On motion of Mr. Davidson, the rules were suspended, and the resolution was taken up for immediate consideration.

On passage of the resolution,

Mr. Erwin demanded the ayes and noes. Lost.

The resolution passed its several readings, and was ordered engrossed.

Mr. Brower asked that

S. R. 175, resolution to reduce the taxes of the State be taken up. Lost.

H. B. 138, S. B. 149, bill to amend section 8, chapter 7, Battle's Revisal, on its second reading.

On the passage of the bill its second reading,

Mr. Everett demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 28, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dillard, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, Leach Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Respass, Scales, Snow, Taylor, Waddell, Waldo and Williamson—28.

Those voting in the negative were:

Messrs. Bull, Dancey, Eaves, Eppes, Everett, Holleman and Ormand.—7.

Bill then passed its third reading, and was ordered enrolled.

H. B. 137, S. B. 112, bill to amend an act to prohibit the sale of intoxicating liquors in certain localities, passed its several readings, and was ordered enrolled.

S. B. 143, bill to amend chapter 24, private laws 1879, passed its several readings, and was ordered engrossed.

H. B. 114, S. B. 130, bill to amend chapter 232, laws of 1879, passed its several readings, and was ordered enrolled.

H. B. 46, S. B. 113, bill to amend chapter 40, section 2, laws of 1879, passed its several readings, and was ordered enrolled.

S. R. 106, resolution in favor of C. Joiner of Iredell county, &c., on its second reading.

Mr. Waddell moved to amend by adding after "Joiner" the names of W. H. Hudson and Quinton Dupree."

Mr. Wood moved to amend by adding

"On proof to the Treasurer that he is worthy of charity. This is to apply to all that lost either arm or leg, or both eyes in the service of the Confederacy."

Pending consideration,

On motion of Mr. Erwin, the Senate adjourned until Monday morning at 10 o'clock.

THIRTEENTH DAY.

SENATE CHAMBER, March 29th, 1880.

Senate met pursuant to adjournment.

The Journal of Saturday was read and approved.

REPORTS FROM COMMITTEES.

Mr. Ward, from the committee on Engrossed Bills, reported as properly engrossed,

Senate amendments to

H. B. 21, S. B. 134, bill to give sub-contractors, laborers and material men a lien for their just claims.

S. R. 129, resolution to pay S. T. Carrow.

S. R. 176, resolution authorizing the Governor to employ counsel, &c.

Senate amendments to

H. B. 86, S. B. 83, bill to protect the fish interests in North Carolina.

S. B. 143, bill to amend chapter 24, private laws of 1879.

From the Special Committee to investigate the failure to to sign the School Bill:

Mr. Alexander submitted the following report:

Mr. President:

The Special Joint Committee appointed under S. R. —, to investigate the cause or causes of the failure of the ratification of the School Bill, would respectfully report, that they have considered the same and submit the following:

That they are unable to place the blame upon any particular person or persons, and are of opinion that no officer of this General Assembly, or of this State, is implicated in the cause of said failure, and are also of the opinion that the Speakers and Enrolling Clerk performed their duties in a creditable manner upon the last day of the session, upon which day, and the only day, the School Bill could have been signed. We attribute the failure of the ratification of the School Bill to the confusion and haste of the legislation on the last days of the session, and we would suggest a joint resolution prohibiting the introduction of new measures within a certain date before final adjournment.

(Signed) G. B. EVERETT, Ch'm'n.
J. T. REYNOLDS,
N. C. ENGLISH,
J. A. McLEAN,
S. B. ALEXANDER,
THEO. F. DAVIDSON,
Committee.

On motion of Mr. Everett, the report was ordered spread upon the Journal of the Senate, and printed with the Public Documents of this session.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting an amendment to the Senate amendment to

H. B. 136, S. B. 118, bill to amend chapter 82, laws of 1879, an act to provide for keeping in repair the public roads of the State, by striking out "Cleaveland," and asking the Senate to recede from its amendment.

On motion of Mr. Hoyle, the Senate receded from that portion of the amendment, and the bill was ordered enrolled for ratification.

Also transmitting,

H. B. 164, S. B. 178, bill to incorporate the town of Wake Forest College. Placed upon the Calendar.

H. B. 115, S. B. 179, bill to incorporate the Board of Trade of Newbern. Placed upon the Calendar.

H. B. 101, S. B. 180, bill to amend chapter 117, section 14, Battle's Revisal, in relation to widows' year's allowance. Placed upon the Calendar.

H. B. 130, S. B. 181, bill to amend section 6, chapter 135, laws 1879. Placed on the Calendar.

H. B. 110, S. B. 182, bill to relieve draymen from the payment of special tax. Placed upon the Calendar.

H. B. 179, S. B. 183, bill in relation to the Duplin Canal. Placed on the Calendar.

H. B. 54, S. B. 184, bill to amend chapter 80, laws of 1879, concerning cotton weighers. Placed upon the Calendar.

House amendment to

S. R. 142, resolution in favor D. W. Furman, J. C. Syme and H. D. Murrell.

The amendment was concurred in, and the resolution was ordered enrolled for ratification.

Also announcing concurrence of the House of Representatives in

Senate amendments to H. B. 132, bill to incorporate the town of Randleman's Mills; and in

Senate amendments to H. B. 21, S. B. 134, bill to give sub-contractors, laborers, and material men a lien for their just claims, and had ordered the same enrolled.

Also concurred in Senate amendments to

H. B. 86, S. B. 83, bill to protect the fish interests of North Carolina.

Also transmitting without engrossment

H. B. 15, S. B. 181, bill to incorporate the Wilmington Telegraph Company. Placed upon the Calendar.

H. B. 142, S. B. —, bill to make Muddy Brook in Davidson county a lawful fence. Placed on the Calendar.

Also transmitting a resolution postponing the hour of adjournment from 12 M. to 1 P. M. to-day.

The resolution was adopted.

CALENDAR.

Bills and resolutions were taken up and disposed of, as follows:

H. B. 5, S. B. 92, bill to prohibit the sale of spirituous liquors within five miles of Hadnot and Oak Grove churches in Carteret county, passed its several readings, and was ordered enrolled.

H. B. 134, S. B. 139, bill to amend section 1, chapter 260, laws of 1876–'77, and to prohibit the sale of liquors within two miles of Mann's Chapel, Chatham county, passed its several readings, and was ordered enrolled.

H. B. 164, S. B. 178, bill to incorporate the town of Wake Forest College, passed its several readings, and was ordered enrolled.

H. B. 101, S. B. 180, bill to amend chapter 117, section 14, Battle's Revisal, in relation to widows' year's allowance, passed its several readings and was ordered enrolled.

H. B. 75, S. B. 148, bill for the better protection of navigation in the waters of the Albemarle Sound and its tributaries, passed its several readings and was ordered enrolled.

S. B. 81, bill to amend chapter 137, laws of 1873–'74, passed its several readings and was ordered sent to the House of Representatives without engrossment.

PROTEST OF SENATOR MITCHELL.

Mr. Mitchell presented the following protest, which was ordered spread upon the journal:

"For reasons I desire to enter this my protest against the passage of H. B. 114, S. B. 130, bill to amend chapter 232, laws of 1879. I desire to state that it is against the desire of the people of Hertford county; that it was passed through the Senate while I was detained from my seat by sickness and was enrolled before I knew it. I desire to enter upon the journal of the Senate my solemn protest against this bill.

(Signed.) GEORGE H. MITCHELL.
Senator.

CALENDAR.

H. B. 43, S. B. 137, bill to amend chapter 69, Battle's Revisal, passed its several readings, and was ordered enrolled.

H. B. 84, S. B. 86, bill to construe an act to prohibit the sale of liquors within two and a half miles of Hank's chapel in Chatham county, passed its several readings, and was ordered enrolled.

On motion of Mr. Graham, of Lincoln, the Senate took a recess until twenty minutes before twelve to-day.

The Senate resumed business.

On motion of Mr. Graham, of Lincoln, the Secretary of the Senate was directed to return to the proper party the receipt of the treasurer for twenty-five dollars attached to

S. B. 55, bill to amend chapter 33, private laws of 1876–'77 which was recalled from the House of Representatives.

CALENDAR.

H. B. 54, S. B. 184, bill to amend chapter 80, private laws of 1879, concerning cotton weighers, passed its several readings, and was ordered enrolled.

S. B 151, bill to repeal section 14, chapter 240, laws of 1879, on its second reading.

On the passage of the bill

Mr. Williamson demanded the ayes and noes, which were ordered.

Mr. Henderson moved to lay the bill upon the table, on which

Mr. Erwin demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 23, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Dillard, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, Mebane, Mitchell, Nicholson, Redwine, Scales, Taylor, Ward, Williamson and White—23.

Those voting in the negative were:

Messrs. Bull, Davidson, Shackelford and Snow—4.

S. R. 66, resolution relative to the muster rolls of the war of 1812, was, on motion, laid on the table.

RESOLUTION OF THANKS.

Mr. Everett, (Mr. Henderson in the chair,) introduced the following:

"*Resolved by the Senate,* That the thanks of this body are due, and are hereby tendered to the President, Lieutenant Governor Robinson, and the officers, for their uniform courtesy and faithful discharge of public business."

Which was unanimously adopted.

The Committee on Enrolled Bills reported as correctly enrolled,

Resolution in behalf of H. W. Miller.

An act to amend chapter eighty-three, laws of 1879.

An act to provide a servant for the Supreme Court.

An act to re-enact an act to run and establish the dividing line between the counties of Greene and Wayne.

An act concerning the drawing of juries in Wake county.

An act to incorporate the town of Richlands, in Onslow county.

An act to allow L. M. Long, late tax collector of Halifax county, to collect arrears of taxes for the year one thousand eight hundred and seventy-eight.

An act to amend section 1, chapter 194, of the laws of 1876–'77.

Resolution instructing the Public Treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones dec'd.

An act to amend section twenty, of chapter seventy, of the laws of 1879.

An act to amend the charter of High Point, in Guilford county.

Resolution on adjournment.

An act to prohibit the sale of intoxicating liquors within two miles of Elkville and other churches in this State.

An act to incorporate the town of Aurora, in the county of Beaufort.

An act to incorporate the Historical and Scientific Society of Wilmington, North Carolina.

An act to amend "an act to prevent live stock from running at large within Rowan, Davie, Cabarrus and other counties."

An act to amend an act entitled "an act to incorporate the Granville Railroad Company, ratified the thirteenth day of December, one thousand eight hundred and sixty-nine.

An act to amend chapter 232, laws of A. D. 1879.

An act in regard to the collection of taxes in Robeson county.

An act to incorporate the town of Middleburg, in the county of Warren.

An act to incorporate the town of Mebanesville, in Alamance county.

An act to amend the Revenue law.

An act to amend the laws of 1879, chapter 104.

An act relating to roads and other public works, in the county of Lenoir.

Resolution in relation to Centennial celebration of the Battle of Guilford Court House.

Resolution in reference to the room of the Keeper of the Capitol.

An act to provide for the sale of the State's interest in the Western North Carolina Railroad Company, and for other purposes.

An act to incorporate the town of Randleman Mills, in Randolph county.

An act to amend chapter forty, section two, laws of one thousand eight hundred and seventy-nine.

An act to amend an act entitled "an act to prohibit the sale of spirituous liquors in certain localities," chapter 232, laws of 1879.

Resolution in favor of I. W. Rogers, late Keeper of the Capitol and Arsenal.

An act to amend that part of chapter 232, of the laws of 1879, which prohibits spirituous liquors, bitters, or any other intoxicating drinks, within three miles of Chowan Female Institute.

An act to create a new township out of a portion of Crowder Mountain, Dallas and South Point townships in the county of Gaston.

An act to amend section (8) eight, chapter (7) seven, Battle's Revisal.

An act to amend an act entitled "an act to provide for the laying off of a road from Quaker Bridge, in Jones county, to a point near Tar Landing, in Onslow county, chapter 260, acts of General Assembly, sessions 1878 and 1879."

An act concerning taxation and revenue.

An act to amend chapter eighty-two of the laws of 1879, entitled "an act to provide for keeping in repair the public roads of the State."

An act to incorporate the town of Wake Forest College in Wake county.

An act to give sub-contractors, laborers and material men a lien for their just claims.

An act to amend chapter 69 of Battle's Revisal.

Resolution in favor of D. W. Furman and John C. Syme.

An act to prohibit the sale of spirituous liquors within five miles of Hadnot Creek, Bethlehem and Oak Grove churches, Carteret county.

Resolution to pay S. T. Carrow.

An act to amend section fourteen (14), chapter one hundred and seventeen (117) of Battle's Revisal, in relation to widows' year's support.

An act for the better protection of navigation in the waters of the Albemarle Sound and its tributaries.

An act to amend section 1, chapter 260, act of 1876–'77

and to prohibit the sale of liquors within two miles of Mann's Chapel in Chatham county;

An act to construe an act to prohibit the sale of liquors within two miles and one-half of Hank's Chapel in Chatham county;

Resolution to employ counsel to aid the Governor in making contract with W. J. Best and others;

An act to prevent the felling of trees below the South-west Bridge in West branch of New river, in Onslow county;

An act to amend chapter 80 of the private laws of 1879, concerning cotton weighers;

An act to amend chapter one hundred and thirty-seven, laws of 1873–'74, entitled an act to prohibit the sale of liquors in certain localities;

An act for the relief of the bondsmen of F. J. Satchwell, late sheriff and tax collector of Beaufort county;

An act to protect the fish interest in North Carolina;

Which were duly ratified and ordered sent to the office of the Secretary of State.

A message was directed to be sent to the House of Representatives informing that honorable body that upon the return of the messenger the Senate would be declared adjourned *sine die.*

The hour for adjournment having arrived,

Mr. President Robinson, having resumed the Chair, addressed the Senate as follows:

"Fellow Senators:

The hour for the final adjournment having arrived, I desire to return my acknowledgments, in behalf of myself and the Secretary and Reading Clerk, for the compliment tendered by the resolutions adopted to-day.

I tender to each Senator the assurance of my individual respect and kind feelings. To the Senate collectively I am under lasting obligations for their aid and support in the discharge of my official duties. Trusting you may each re-

turn in safety to your families and homes, and live long lives of usefulness and honor to our beloved State, I declare the Senate adjourned without day."

J. L. ROBINSON,
President of the Senate.

ROBT. M. FURMAN,
Secretary of the Senate.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SPECIAL SESSION, 1880.

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1880.

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OF THE

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1879 AND 1880.

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B. R. BROWN,	Yadkin,	Hamptonville.
R. B. BRUCE,	Cherokee,	Notla.
T. D. BRYSON	Swain,	Charleston.
G. C. BUCHAN,	Wayne	Jerico.
J. E. BURROUGHS,	Granville,	Henderson.
HUGH CALE,	Pasquotank,	Elizabeth City.
M. E. CARTER,	Buncombe,	Asheville.
H. W. CARTER,	Warren,	Warrenton.
D. G. CARTER	Yancey,	Bald Creek.
L. R. CARROLL,	Sampson,	Clinton.
J. M. CARSON,	Alexander	Taylorsville.
WILSON CAREY,	Caswell	Fitches' Store.

NAME.	COUNTY.	POST OFFICE.
A. H. Chadwick	Carteret	Beaufort
L. T. Christmas	Warren	Warrenton.
W. E. Clarke	Craven	New Berne.
J. D. Click	Iredell	Elm Wood.
B. C. Cobb	Lincoln	Lincolnton.
C. H. Coffield	Harnett	Winslow.
A. S. Colwell	Duplin	Harrell's Store, Sampson.
C. M. Cooke	Franklin	Louisburg.
W. B. Council	Watauga	Boone.
D. A. Covington	Union	Monroe.
R. B. Davis	Catawba	Hickory.
F. M. Davis	Haywood	Iron Duff.
D. F. Davis	Madison	Marshall.
W. A. Deans	Wayne	Goldsboro.
N. Dimsdale	Polk	Dimsdale.
W. T. Dixon	Greene	Hookerton.
Wm. W. Dunn	Lenoir	Kinston.
Stewart Ellison	Wake	Raleigh.
N. C. English	Randolph	Bush Hill.
*W. C. Etheridge	Bertie	Coleraine.
W. T. H. Ewing	Montgomery	Sulphur Springs.
J. J. Ferrell	Wake	Fish Dam.
N. P. Foard	Surry	Elkin.
S. J. Forbes	Camden	Shiloh.
J. E. Foster	Ashe	Jefferson.
C. D. Foy	Jones	Maysville.
G. L. Fulcher	Dare	Cape Hatteras.
John J. Gatling	Gates	Gatlington.
J. J. Goldston	Chatham	Egypt.
J. W. Grant	Northampton	Garrysburg.
L. Harrell	Wilkes	Brier Creek.
T. S. Harrison	Caswell	Purley.
D. M. Henderson	Richmond	Hamlet.
C. S. Hewett	Onslow	Maysville, Jones county.
J. C. Hines	Sampson	Clinton.
H. H. Hobbs	Chowan	Wardsville.
E. J. Holt	Johnston	Princeton.
J. J. Horton	Hertford	St. John's.
H. B. Huffstetler	Gaston	Wooten Station.
Edmund Jones	Caldwell	Patterson.
F. M. Johnston	Davie	Farmington.
G. W. Lamb	Duplin	Wallace.
Neill Leach	Moore	Big Oak.
F. H. Leatherwood	Jackson	Webster.
G. N. Lewis	Nash	Nashville.
W. R. Lindsay	Rockingham	Pleasantville.
J. A. Lockhart	Anson	Wadesboro.
W. A. Lowery	Forsyth	Winston.
T. S. Lutterloh	Cumberland	Fayetteville.
B. F. Mebane	Alamance	Mebanesville.
W. G. Melson	Tyrrell	Fort Landing.

*On Saturday, March 27th, Augustus Robbins was admitted to the seat in place of W. C. Etheridge.

NAME.	COUNTY.	POST OFFICE.
J. C. Miller,	Davidson,	Denton.
D. C. Moore,	Pitt,	Bethel.
Dr. J. McCorkle,	Iredell,	Mooresville.
Montford McGehee,	Person,	Cunningham's Store.
J. A. McLean,	Guilford.	McLeansville.
John Newell,	Bladen,	Clarkton.
R. M. Norment,	Robeson,	Lumberton.
A. C. Oliver,	Robeson,	Fair Bluff.
W. H. Orchard,	Cabarrus,	Concord.
S F. Osborne,	Beaufort,	Fork Swamp.
J. H. Paxton,	Transylvania,	Cherry Field.
W. D. Pettipher,	Craven,	Newbern.
L E. Powers	Cleveland,	Shelby.
T. L. Rawley,	Rockingham,	Ruffin.
John Reid,	Macon,	Franklin.
J. F. Reid,	McDowell,	Old Fort.
J. T. Reynolds,	Halifax,	Enfield.
V. V. Richardson,	Columbus,	Whiteville.
W. E. Richardson,	Wake,	Eagle Rock.
Daniel Ritchey,	Stanly,	Gold Hill.
H. D. Roberson,*	Martin,	Robersonville.
H. E. Scott,	New Hanover,	Wilmington.
G. F. Smith,	Davidson,	Linwood.
F. Spruill,	Washington,	Plymouth.
J. M. Taylor,	Wilson,	Wilson
Josiah Turner,	Orange,	Hillsboro.
E. L. Vaughan,	Alleghany,	Gap Civil.
John A. Vann,	Perquimans,	Hertford.
W. H. Waddell,	New Hanover,	Wilmington.
C. J. Wheeler	Guilford,	Deep River.
J. A White,	Halifax,	Scotland Neck.
D. Wimberly	Edgecombe,	Tarboro.
J. M. Woodhouse,	Currituck,	Poplar Branch.
R. W. Wynne,	Wake,	Neuse.
Tyre York	Wilkes,	Trap Hill.
Nathan Young,	Rutherford,	Brittain.

*Resigned.

HOUSE JOURNAL,

SPECIAL SESSION, 1880.

FIRST DAY.

HOUSE OF REPRESENTATIVES,
Monday, March 15th, 1880.

Under a call of his Excellency Governor Thomas J. Jarvis, by virtue of the power vested in him to that effect under the amended constitution of the State of North Carolina, the House of Representatives meets in its chamber this day at 12 o'clock, meridian, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Marshall of the city.

The roll of the members is ordered to be called, and the following gentlemen answer to their names:

Mr. Speaker, Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart,

Lowry, Lutterloh, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young —106.

A quorum is announced, and the Speaker declares the House ready for the transaction of business.

The Speaker causes the following Proclamation of his Excellency the Governor, convening the General Assembly in extra session, to be read :

By and with the advice of the Council of State, I, Thomas J. Jarvis, Governor of North Carolina, in the exercise of powers conferred upon me by the constitution, do issue this my proclamation, convening the General Assembly in extra session on Monday, the fifteenth day of March, in the year of our Lord one thousand eight hundred and eighty, on which day at twelve o'clock, meridian, the Senators and members of the House of Representatives of the General Assembly of North Carolina are hereby notified and requested to meet in their respective halls in the capitol in the city of Raleigh, for the purpose of considering a proposition for the purchase of the State's interest in, and completion of, the Western North Carolina Railroad to Ducktown and Paint Rock, made by W. J. Best, W. R. Grace, J. N. Tappan, and Jas. D. Fisk, of the city of New York, of whose financial responsibility and personal integrity I have satisfactory assurance; and for considering such other propositions as may be made for the same purpose.

In witness whereof, I, Thomas J. Jarvis, Governor and Commander-in-Chief, have hereunto set my hand and caused to be affixed the Great Seal of the State.

Done at our City of Raleigh, this the twenty-first day of February, in the year of our Lord one thousand
[L. S.] eight hundred and eighty, and in the one hundred and fourth year of American Independence.

THOMAS J. JARVIS,
Governor.

By the Governor:
G. L. DUDLEY,
Private Secretary.

Mr. Brooks, declared by the action of the House at its regular session as entitled to the seat occupied by Mr. Mears as the Representative from the county of Brunswick, comes forward, on motion of Mr. Norment, and is duly qualified and takes his seat as a member of this body.

On motion of Mr. Vaughan, a message is sent to the Senate informing that body of the organization of the House.

A message is received from the Senate informing the House of the organization of that body; and also proposing to appoint a joint committee of five on the part of the House and three on the part of the Senate to wait upon his Excellency, the Governor, to inform him of the organization of the General Assembly, and notify him of its readiness to receive any communication it may please him to transmit.

On motion of Mr. Cobb, the proposition of the Senate is concurred in; and the Speaker appoints Messrs. Cobb, Covington, Bernard, Jones and Norment as the House branch of said committee, and a message is sent to the Senate informing that body of the action of the House.

Mr. Carter of Buncombe, introduces a resolution to raise a joint select committee in regard to the Western North Carolina Railroad, which is placed on the Calendar.

Mr. Vaughan moves a suspension of the rules to put the resolution on its adoption.

The question being raised, the Speaker rules that the Rules of Order adopted by the last regular session of the

General Assembly for the government of this House shall be used for its government at this extra session.

On motion of Mr. Jones, the consideration of the resolution is postponed for fifteen minutes, at the expiration of which time it is again called up. The rules are suspended and the resolution put upon its passage and adopted, and is ordered to be sent to the Senate without engrossment; and it is so transmitted.

A message is received from the Senate informing the House that the Senate has appointed Messrs. Graham of Lincoln, Dortch and White as the Senate branch of the committee to wait on the Governor.

Mr. Reynolds moves that one hundred and twenty copies of the Rules of the House adopted for the last regular session be printed for the use of the members of this House at this extra session.

On motion of Mr. York, the resolution is laid on the table.

Mr. Lewis introduces a resolution declaring the views of the General Assembly against considering any subject of legislation other than the one for which it is convened.

Mr. Lewis moves to suspend the rules to put the resolution on its adoption.

Mr. Lockhart offers a substitute for the resolution of Mr. Lewis; and on motion of Mr. Jones, the consideration, both of the original and substitute, was postponed until to-morrow at 11 o'clock, and made the special order for that hour.

By consent, Mr. Cobb makes a report from the joint committee to wait upon the Governor.

A message from the Governor, with accompanying documents, is announced.

Mr. Scott moves that the reading of the message be dispensed with. The motion is lost, and the message is read.

Mr. Scott moves that twelve copies of the message be printed for the use of each member of this House.

Mr. Brown of Mecklenburg, moves to amend the motion

of Mr. Scott by making the whole number to be printed three hundred.

Mr. Richardson of Columbus, moves as a substitute for the whole, that the message and documents be transmitted to the Senate with a proposition to print three hundred copies of the message. The substitute is adopted, and a message is sent to the Senate asking concurrence in the proposition, and also covering the documents transmitted.

Mr. Carter of Buncombe, introduces a bill entitled "an act in relation to the Western North Carolina Railroad Company," which takes its place on the Calendar.

Mr. Ellison introduces a resolution concerning the right of W. C. Etheridge, the sitting member from Bertie, to a seat upon the floor of this House, which is placed upon the Calendar.

Mr. Reynolds introduces a resolution raising a committee to investigate all facts connected with the failure to sign the school bill of the regular session of 1879, which is placed upon the Calendar.

Mr. Turner rises to a question of personal privilege.

Mr. Turner introduces a resolution to investigate the tricks and fraud concerning the school bill, which is placed on the Calendar.

On motion of Mr. Ferrell, the House adjourns until to-morrow morning at 10 o'clock.

SECOND DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, March 16th, 1880.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and opened with prayer by the Rev. Mr. Black of the city.

The Journal of yesterday is read and approved.

INTRODUCTION OF PETITIONS.

Mr. Brown of Mecklenburg, introduces a petition asking the repeal of a certain portion of chapter 83, of the laws of 1879, relating to the road law as applicable to Mecklenburg and other counties; which is placed upon the Calendar.

Mr. Leatherwood, a petition from citizens of Jackson county, relative to the special tax levied to build a bridge across the Tuckaseige river in said county;

And Mr. Council, a petition from W. W. Lenoir, chairman of the board of commissioners of Watauga county;

Both of which are referred to the committee on Finance.

INTRODUCTION OF BILLS.

The following bills are introduced, read the first time in this House, and placed on the Calendar:

By Mr. Berry, a bill to relieve the citizens of Burke county from the operations of an act prohibiting the driving of cattle west of the Blue Ridge;

By Mr. Atkinson, a bill to classify the public roads of Buncombe and other counties;

By Mr. York, a bill to change the county line between Wilkes and Alleghany counties;

By Mr. Norment, a bill to amend section 1, chapter 202, laws of 1879;

By Mr. Orchard, a bill empowering the Board of Commissioners of Cabarrus county to settle by compromise or otherwise with sheriff of said county outstanding claims of the years 1872, 1873, 1874, 1875, 1876 and 1877;

By Mr. Norment, a bill to amend section 4, chapter 82, laws of 1879;

By Mr. Barringer, a bill repealing the whole of chapter 138, laws of 1879;

By Mr. Foster, a bill to amend chapter 79, laws of 1879; and

By Mr. Lutterloh, a bill to amend chapter 25, laws of 1876–'77;

The following are introduced and referred to the committee on Internal Improvements:

By Mr. Angier, a bill to incorporate the Durham Railroad Company; and

By Mr. Scott, a bill to incorporate the Wilmington Telegraph Company.

By Mr. Leatherwood, a bill to construct a bridge over the Tuckaseige, Jackson county, which is referred to the committee on Finance.

The following bills are referred to the Judiciary Committee:

By Mr. Covington, a bill to authorize and empower the Commissioners of Union county to apply their surplus railroad fund to the school or general fund;

By Mr. Blocker, a bill to amend chapter 8, laws of 1879; and

By Mr. McCorkle, a bill in reference to warrants of justices of the peace in bastardy cases under certain conditions.

The following bills are subsequently introduced and placed on the Calendar:

By Mr. Brown of Mecklenburg, a bill to repeal chapter 83, laws of 1879, in reference to public roads in Mecklenburg and other counties;

By Mr. York, a bill to amend chapter 137, laws of 1873–'74.

By Mr. Reynolds, a bill to amend chapter 82, laws of 1879, in relation to public roads ; and

By Mr. Barringer, a bill to reduce the sheriff's commissions from 5 to 3 per cent. in Rowan county.

The morning hour having expired,

On motion of Mr. Ellison,

H. R. 5, introduced by him yesterday, in relation to the right of the sitting member from Bertie to a seat in this House, is considered, on a motion to suspend the rules. In that motion Mr. Ellison demands the ayes and nays. The call is sustained, and the House refuses to suspend the rules by the following vote:

Ayes—Messrs. Battle, Bingham, Bird, Blalock, Blocker, Brooks, Bruce, Cale, Carter of Warren, Carson, Cary, Christmas, Clarke, Council, Deans, Dimsdale, Dixon, Dunn, Ewing, Ferrell, Foy, Grant, Harrison, Henderson, Hobbs, Horton, Jones, Leach, Lowry, Lutterloh, Miller, Newell, Norment, Osborne, Pettipher, Powers, Reynolds, Richardson of Wake, Roberson, Scott, Taylor, Waddell, White, Wimberly and Wynne—45.

Nays—Messrs. Amis, Angier, Ardrey, Armstrong, Barringer, Bernard, Bizzell, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Chadwick, Click, Cobb, Coffield, Colwell, Covington, Davis of Catawba, Ellison, English, Foard, Foster, Fulcher, Gatling, Goldston, Harrell, Hewett, Hines, Holt, Huffstetler, Johnson, Leatherwood, Lindsay, Lockhart, Mebane, Melson, McCorkle, McLean, Orchard, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Vaughan, Wheeler, Woodhouse, York and Young—53.

THE CALENDAR

is taken up, and

H. R. 4, a resolution to investigate the facts in relation to the failure to sign the School Bill passed at the last regular session of the General Assembly, is taken up.

Mr. Barringer moves to lay the resolution on the table;

On which motion,

Mr. Clarke demands the ayes and nays.

The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Barringer, Berry, Grant, Harrell, York and Young—6.

Nays—Messrs. Amis, Angier, Ardrey, Armstrong, Battle, Bernard, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Catawba, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Foster, Foy, Fulcher, Gatling, Goldston, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Taylor, Turner, Vaughan, Waddell, Wheeler, White, Wimberly, Woodhouse and Wynne—93.

Mr. Turner moves to amend that section of the resolution relating to the appointment of a committee by striking out "five" as the number of said committee and inserting "three."

Mr. Clarke offers an amendment to the amendment, naming the committee on the part of the House, and designating Messrs. Brown of Mecklenburg, Amis, Richardson of Columbus, Norment and Blocker to compose said committee.

Mr. York offers as a substitute for the whole the following:

"*Resolved*, That the following gentlemen be appointed a committee to investigate the causes why the School Bill was not signed, viz: Messrs. McLean, Vaughan, Clarke, Richardson of Columbus and Brown of Mecklenburg."

Mr. Norment offers a substitute for the substitute of Mr. Clarke, which is read for the information of the House.

The substitute of Mr. York is before the House, and on its adoption,

Mr. York calls the previous question.

The call is sustained, and the main question ordered, on a division by a vote of ayes 50, nays 43.

The question is then on the adoption of the substitute.

The substitute of Mr. Norment is again read, and the question being put on it, it fails to pass; and then the question recurs on the adoption of the substitute of Mr. York, and it is adopted.

A MESSAGE FROM THE GOVERNOR

is announced, giving information of the resignation of certain members of this body, and the order for elections to fill vacancies occasioned thereby.

The Speaker causes the announcement of the Committee on the Public Roads of Buncombe and other counties, under motion of Mr. Atkinson, to consist of the following gentlemen, viz: Messrs. Atkinson, Davis of Madison, Reid of McDowell, Carter of Yancey, and Bruce.

Mr. Ellison gives notice of motion to reconsider the vote by which the resolution relative to the seat of W. C. Etheridge failed to be taken up by suspension of the rules, and moves to make that motion the special order for to-morrow at 12 M.,

And it is so ordered by the House.

THE SPECIAL ORDER,

being H. R. 2, a resolution declaring the view of the General Assembly against considering any subject of legislation other than the one for which this General Assembly is convened; and

H. R. 3, on the same subject, offered by Mr. Lockhart as a substitute, is announced.

Mr. York offers as an amendment the addition of the following words to the substitute of Mr. Lockhart:

"And other railroads in which the State has an interest."

The amendment is accepted; and the question recurs upon the substitute offered by Mr. Lockhart, upon which

Mr. Lockhart demands the previous question.

The call is sustained, and the main question ordered.

The question is then on the substitute of Mr. Lockhart as amended; and being put, the substitute, on a division, fails of adoption by a vote of ayes 35, nays 41.

The question then recurs upon the original resolution introduced by Mr. Lewis, upon which

Mr. Ewing demands the ayes and nays. The call is not sustained, and the question being put to the House the resolution fails to be adopted.

On motion of Mr. Brown of Mecklenburg,

H. B. 17, a bill to repeal chapter 83, laws of 1879, in reference to public roads in Mecklenburg and other counties, is put on its second reading, upon which

Mr. Brown of Mecklenburg, demands the previous question, which is sustained, the main question ordered, the bill put upon its second reading and passed; and the bill goes to its third reading.

On motion of Mr. Brown of Mecklenburg, the previous

question is ordered, and the bill is put on its third reading and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Berry,

H. B. 2, a bill to relieve the citizens of Burke county from the operation of an act prohibiting the driving of cattle west of the Blue Ridge, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for the concurrence of that body.

On motion of Mr. Carter of Buncombe,

H. B. 1, a bill in relation to the Western North Carolina Railroad Company, is taken from the Calendar for the purpose of making an order to print. The motion is agreed to and the order to print is made.

On motion of Mr. Orchard,

H. B. 9, a bill to empower the Board of Commissioners of Cabarrus county to settle with the sheriff of said county by compromise or otherwise, all unsettled claims, &c., for the years 1872, 1873, 1874, 1875, 1876 and 1877, is taken up and put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

THE CALENDAR

is resumed, and

H. R. 6, a resolution to investigate the tricks and fraud concerning the school bill, is announced.

Mr. Covington moves to lay the resolution on the table, but withdraws it to give place to a motion of Mr. Jones to return the resolution to the introducer.

After prolonged discussion, Mr. Jones withdrew his motion.

Mr. Cooke renews the motion of Mr. Covington; and the question being put on that motion, the resolution is laid on the table.

A message is received from the Senate announcing that

the Senate had concurred in the proposition to print the Message of his Excellency the Governor with accompanying documents, with the following amendment:

Strike out "200 copies" and insert "10 copies each for the members of the General Assembly, including accompanying documents."

On motion the amendment is concurred in, and a message is sent to the Senate notifying that body of the action of the House.

A message from the Senate,

Is received, informing the House that the Senate concurs in the proposition of the House to raise a joint committee of ten on the part of the Senate, and fifteen on the part of the House, to be a Joint Select Committee in reference to the Western North Carolina Railroad.

A message from the Senate,

Is received, announcing to the House that the Senate has appointed the following gentlemen to constitute the Senate Branch of the Joint Select Committee in relation to the Western North Carolina Railroad, to-wit: Messrs. Leach, Davidson, Erwin, Dortch, Everett, Graham of Lincoln, Mebane, Bryan of Pender, White and Graham of Montgomery.

The Speaker causes the following announcement to be made of the gentlemen to compose the House branch of the Joint Select Committee in relation to the Western North Carolina Railroad, to-wit: Messrs. Carter of Buncombe, Cooke, Brown of Mecklenburg, Cobb, Covington, Bryson, Lockhart, Richardson of Columbus, Clarke, Davis of Madison, Vaughan, Davis of Catawba, Bernard, Ellison and Scott.

Mr. Lockhart, from the committee on Finance, reports favorably on

H. B. 6, a bill to construct a bridge across Tuckaseige river in Jackson county.

On motion of Mr. Leatherwood, the rules are suspended

and the bill put on its second reading, and passes by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Yancey, Carson, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Catawba, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Vaughan, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young —94.

Nays—Mr. Carter of Warren—1.

Mr. Woodhouse, from the Committee on Enrolled Bills, reports that

H. B. 2, a bill to relieve the citizens of Burke county from the operations of an act prohibiting the driving of cattle west of the Blue Ridge, and

H. B. 17, a bill to be entitled an act to repeal chapter 83, laws of 1879, said chapter being an act in relation to the public roads in Mecklenburg and other counties,

Have been correctly engrossed, and they are transmitted to the Senate for the concurrence of that body.

Mr. Banner, the member elect from the county of Stokes to fill the vacancy occasioned by the resignation of Mr. Venable, comes forward and is qualified, and takes his seat as a member of this body.

On motion of Mr. Lewis, the House adjourns until tomorrow morning at 10 o'clock.

THIRD DAY.

House of Representatives,
Wednesday, March 17th, 1880.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring.

The Journal of yesterday is read and approved.

Mr. Vannn, the member from Perquimans county elected to fill the vacancy occasioned by the resignation of Mr. Blaisdell, and Mr. Spruill, elected from the county of Washington to fill the vacancy occasioned by the resignation of Mr. Bateman, came forward and are qualified, and take their seats as members of this body.

INTRODUCTION OF PETITIONS.

Mr. Carter of Buncombe, presents a petition from citizens of Flat Creek township in the county of Buncombe, asking for the incorporation of Flat Creek Church, which is referred to the Committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Atkinson, from the Special Committee to classify the roads of Buncombe and other counties, reports back

H. B. 4, a bill to classify, &c., with a substitute, and recommending the adoption of the substitute.

Subsequently, during the morning session,

Mr. Woodhouse reports that

H. B. 39, a substitute for H. B. 4, a bill to classify, &c., and

H. B. 6, a bill to construct a bridge across the Tuckaseige river in Jackson county, have been correctly engrossed; and they are transmitted to the Senate for the concurrence of that body.

Mr. Lockhart, from the Committee on Propositions and Grievances, reports on

H. B. 11, a bill to amend chap. 8, laws 1879, with a substitute; the adoption of which is recommended.

INTRODUCTION OF RESOLUTIONS.

Mr. Clarke introduces a resolution concerning the right of Mr. Foard, the sitting member from Surry county; which was read for the first time, and placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced, read for the first time in this House and disposed of as follows:

By Mr. Ellison, a bill to give sub-contractors, laborers, &c., a lien for their just claims. Referred to the Judiciary Committee.

By Mr. Carter of Warren, a bill to incorporate the town of Middleburg, Warren county. Referred to the committee on Corporations.

By Mr. Wynne, a bill concerning the city of Raleigh. Placed on the Calendar.

By Mr. Dunn, a bill relating to roads and other public works in Lenoir county. Placed on the Calendar.

By Mr. Dunn, a bill to amend chapter 82, laws of 1879. Placed on the Calendar.

By Mr. Scott, a bill to provide for the sale of the Western North Carolina Railroad. Referred to the Select Committee on the Western North Carolina Railroad.

By Mr. Clarke, a bill to protect partridges, &c. Placed on the Calendar.

By Mr. Clarke, a bill to extend the time to redeem land sold to the State. Placed on the Calendar.

By Mr. English, a bill to amend chapter 82, laws of 1879. Referred to the committee on Propositions and Grievances.

By Mr. Colwell, a bill to amend section 4, chapter 82, laws of 1879. Placed on the Calendar.

By Mr. Barringer, a bill to amend the act in reference to preventing stock running at large in Rowan, Davie, Cabarrus and other counties. Placed on the Calendar.

By Mr. Dimsdale, a bill to allow the commissioners of Polk county to submit a special tax proposition. Placed on the Calendar.

By Mr. Coffield, a bill to provide for the free passage of fish up the Cape Fear river. Placed on the Calendar.

By Mr. Holt, a bill to amend chapter 116, Battle's Revisal. Referred to the committee on Propositions and Grievances.

By Mr. York, a bill to amend chapter 71, sections 4 and 8, laws of 1879. Placed on the Calendar.

By Mr. York, a bill in relation to the Cape Fear and Yadkin Valley Railroad. Placed on the Calendar.

By Mr. York, a bill to increase the Board of Directory of the Cape Fear and Yadkin Valley Railroad Co. Placed on the Calendar.

By Mr. Lockhart, a bill to amend the Revenue Act of 1879. Placed on the Calendar.

By Mr. Burroughs, a bill to amend chapter 82, laws of 1879. Placed on the Calendar.

By Mr. Scott, a bill to repeal section 10, chapter 70, laws of 1879. Placed on the Calendar.

By Mr. Jones, a bill to amend chapter 69, Battle's Revisal. Placed on the Calendar.

By Mr. Clarke, a bill concerning commissioners of affidavits and notaries public. Placed on the Calendar.

By Mr. Ellison, a bill concerning the North Carolina Industrial Association. Referred to the Committee on Propositions and Grievances.

THE MORNING HOUR

having expired,

Mr. Turner offers a protest against the meeting and organization of this House, alleging the unconstitutionality of the action of the Governor in convening at this time the General Assembly for the purpose set forth in the proclamation.

The protest is read, and the Speaker rules that he will not order the protest to be spread on the Journal of the House, inasmuch as it is no protest against any act or resolve of this House, such being the only constitutional foundation of the right of protest; and the protest is returned to the introducer.

On motion of Mr. Cobb,

H. B. 3, a bill to incorporate the Durham Railroad Company, is withdrawn from the committee on Internal Improvements and committed to the committee on Corporations.

On motion of Mr. Vaughan,

H. B. 13, a bill to amend chapter 79, laws of 1879, is put on its several readings, and passes, and is ordered to be engrossed and sent to the Senate for the concurrence of that body.

On motion of Mr. Atkinson,

H. B. 4, a bill to classify the public roads of Buncombe and other counties, is taken up and put on its several readings.

The question is on the substitute recommended by the committee.

Mr. Council moves to amend by including the name of Watauga, which is accepted.

Mr. Barringer moves to include the county of Rowan, which motion is rejected.

Mr. Carter of Warren, moves to include Warren county, which is rejected.

Mr. Foard moves to insert the county of Surry, and the question being put, on a division there were ayes 21, nays 31, and there was no quorum.

On the passage of the bill on the second reading,

Mr. Atkinson demanded the previous question. The call is sustained and the main question ordered. The question is put on the amendment of Mr. Foard, which is adopted. The question then recurs on the adoption of the substitute as amended, and the bill passes its second reading, and goes to its third reading.

Mr. Lutterloh moves to include the county of Cumberland, which motion is adopted.

Mr. Foy offers the following amendment:

"Provided that each and every person working said road shall be paid one dollar per day."

On the passage of the bill on its third reading, Mr. Atkinson demands the previous question. The call is sustained and the main question is ordered.

The question is on the amendment of Mr. Foy, which fails of adoption, and then the question is on the bill as substituted and amended, and it passes and is ordered to be engrossed and sent to the Senate for concurrence; and it goes upon the Calendar as H. B. 39.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. R. 3, a resolution relating to the public schools, which is read the first time in this House, and takes its place upon the Calendar.

Mr. Norment moves that the Calendar for the remainder

of the session be placed at the disposal of the Speaker, and the motion is adopted.

Mr. Turner rises to a question of personal privilege.

THE CALENDAR

is taken up, and

H. B. 6, a bill to authorize the building of a bridge across the Tuckaseige river, in Jackson county, is put on its third reading and passes, and is ordered to be engrossed and sent to the Senate for the concurrence of that body.

The following is the vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Banner, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Covington, Davis of Catawba, Davis of Madison, Deans, Dimsdale, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hobbs, Holt, Horton, Huffstetler, Johnson, Leach, Leatherwood, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Spruill, Taylor, Turner, Vann, Vaughan, Wheeler, White, Wimberly, Woodhouse, York and Young —104.

Nay—Mr. Norment—1.

H. B. 5, a bill to change the dividing line between Wilkes and Alleghany counties, is announced, and on motion of Mr. Vaughan is referred to the committee on Cities, Towns, Counties and Townships.

H. B. 7, a bill to amend section 1, chapter 202, laws of 1879, is announced.

On motion of Mr. Norment, the bill is amended by adding the enacting clause, and as amended the bill is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 10, a bill to amend section 4, chapter 82, laws of 1879.

Mr. Reid of Macon, offers an amendment, which, together with the bill, on motion of Mr. Norment, is referred to the special committee on Public Roads.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 7, a bill to repeal chapter 142, laws of 1879, a bill to abolish private seals and to provide a short form of deeds, which is read the first time in this House and takes its place on the Calendar.

H. B. 12, a bill to repeal the whole of chapter 138, entitled an act to adjust and renew a portion of the public debt, ratified March 14th, 1879, is announced, and on motion of Mr. Carter of Buncombe, is laid on the table.

H. B. 14, a bill to amend chapter 25, laws of 1876–'77, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 18, a bill to amend chapter 137, laws of 1873–'74, on motion of Mr. Foard, is referred to the committee on Cities, Towns, Counties, &c.

H. B. 19, a bill to amend chapter 82, laws of 1879, so that no person shall be required to work on the public roads of the State for a longer period than six days in each year, on motion of Mr. Lindsay, is laid on the table.

H. B. 20, a bill to reduce the sheriff's commissions from 5 to 3 per cent. in Rowan county, on motion of Mr. Bost, is referred to the committee on Finance.

H. R. 5, a resolution concerning the right of W. C. Etheridge, the sitting member from Bertie, to a seat in this House, is discussed at length.

Mr. York moves to refer the resolution to the committee on the Judiciary.

Mr. Carter of Buncombe, moves to amend that motion by referring the subject back to the committee on Privileges and Elections, with instructions to report as soon as practicable.

Mr. Woodhouse, from the committee on Engrossed Bills, reports that

H. B. 6, a bill to authorize the construction of a bridge across the Tuckaseige river, in Jackson county, has been correctly engrossed, and it is transmitted to the Senate for the concurrence of that body.

S. B. 7, a bill to repeal chapter 142, laws of 1879, in relation to the abolition of private seals, and to provide a short form of deed, is put on its second reading and passes, and goes to its third reading.

Mr. York offers the following amendment:

"*Provided*, that no rights acquired under the law repealed by this act shall in any way be affected by the repealing act."

The amendment is adopted, and as amended, the bill passes its third reading and is ordered to be transmitted to the Senate with engrossed amendments.

On motion of Mr. Bost, the House adjourns until to-morrow morning at 10 o'clock.

FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, March 18th, 1880.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Gwaltney of the city.

The Journal of yesterday is read and approved.

INTRODUCTION OF PETITIONS.

By Mr. Chadwick, a petition of sundry citizens of Carteret county, praying the General Assembly to pass an act to prohibit the sale of spirituous liquors within five miles of Hadnot, Bethlehem and Oak Grove churches in said county; which takes its place on the Calendar;

By Mr. White, a petition from citizens of Scotland Neck, Halifax county, asking for the repeal of section 2, chapter 40, laws of 1879; which is referred to the committee on Propositions and Grievances; and

By Mr. Carter of Warren, a petition from citizens of Warren county, asking for the passage of the bill to incorporate the town of Middleburg in the county of Warren; which is referred to the committee on Corporations.

REPORTS OF COMMITTEES.

Mr. Woodhouse, from the committee on Engrossed Bills, reported the following bills and amendment to have been correctly engrossed, and they were transmitted to the Senate for concurrence:

H. B. 14, A bill to be entitled an act to amend chapter 25, laws 1876–'77;

H. B. 13, a bill to be entitled an act to amend chapter 79, laws of 1879;

H. B. 7, a bill to be entitled an act to amend section 1, chapter 206, laws of 1879.

Mr. Colwell, from the committee on Public Roads, asks leave for further time to report on certain bills referred to that committee; and leave is granted to report to-morrow morning.

The morning hour having expired, the regular order of business is entered on.

INTRODUCTION OF RESOLUTIONS.

The following resolution is introduced, and read for the first time in this House, and placed on the Calendar:

By Mr. Davis of Madison, a resolution for the relief of Noah H. Rice.

INTRODUCTION OF BILLS.

The following bills are introduced and read for the first time in this House, and disposed of as follows:

The following are referred to the committee on Propositions and Grievances:

By Mr. White, a bill to amend chapter 40, section 2, laws of 1879;

By Mr. Carey, a bill to amend chapter 7, Schedule B, revenue law of 1879, and

By Mr. Battle, a bill concerning cotton weighers.

The following are placed on the Calendar:

By Mr. McCorkle, a bill for the more speedy procurement of the right of way by the Taylorsville and Wadesboro R. R. Co.;

By Mr. Pettipher, a bill concerning grand and petit larceny;

By Mr. Chadwick, a bill to prohibit the sale of spirituous

liquor within five miles of Hadnot, Bethlehem and Oak Grove churches, Carteret county;

By Mr. Covington, a bill to make the killing of live stock by the cars and engines running on railroads in this State indictable, and

By Mr. McLean, a bill to amend the charter of High Point, Guilford county; and the following

To the committee on Education:

By Mr. Reynolds, a bill to amend chapter 162, laws of 1876–'77.

THE CALENDAR

is taken up, and

S. R. 3, H. R. 9, a resolution in relation to the School Bill, is announced.

Mr. York moves that action be had on the resolution from the Senate, being a joint resolution, in preference to the consideration of the House resolution on the same subject.

Mr. Vaughan moves to amend the Senate resolution by naming the House branch of the committee.

The motion is agreed to; and Messrs. McLean, English and Reynolds are named; and a message is sent to the Senate informing that body of the action of the House.

H. B. 8, a bill to authorize and empower the county commissioners of Union county to apply their surplus railroad fund to the school or general fund, is taken up on its several readings without objection, and passes and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 11, a bill to amend chapter 8, laws of 1879, is announced, and the question is upon the adoption of the substitute recommended by the committee.

The substitute is adopted, and the bill so substituted passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence; and it goes upon the Calendar as H. B. 56.

Mr. Mebane moves to reconsider the vote by which S. B. 7, a bill to abolish private seals, and to provide a short form of deed, as amended, passed this House.

Mr. Lockhart moves to lay the motion to reconsider on the table. The motion is put and lost, on a division; and

The motion to reconsider is put and is carried.

On motion of Mr. Mebane, the bill with amendment is referred to the Judiciary Committee.

H. B. 23, a bill concerning the city of Raleigh, on motion of Mr. Richardson of Wake, is referred to the Committee on Corporations.

H. B. 24, a bill relating to roads and other public works in Lenoir county, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 27, a bill to protect partridges, quail and other birds, is taken up.

Mr. Orchard moves to confine the operation of the bill to the county of Craven.

After discussion, on motion of Mr. Clarke, the bill is referred to the Committee on Agriculture.

H. B. 28, a bill to extend the time to redeem land sold to the State, is put on its second reading.

Mr. Clarke offers the following amendment:

"Amend by striking out January 1st and insert February."

The amendment is adopted, and as amended the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 30, a bill to amend the act in reference to the preventing live stock running at large in Rowan, Davie, Cabarrus and other counties, on motion of Mr. Bost, is referred to the Committee on Agriculture.

H. B. 34, a bill to allow the Commissioners of Polk county to submit a proposition to levy a tax to the qualified voters

of said county, is put on its second reading, and passes by the following vote:

Messrs. Anderson, Angier, Armstrong, Atkinson, Banner, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Foard, Foster, Foy, Fulcher, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Leach, Letherwood, Lewis, Lindsay, Lowry, Mebane, Melson, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Scott, Smith, Spruill, Taylor, Vann, Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young—95.

Nays—None.

H. B. 33, a bill to provide for the free passage of fish up the Cape Fear River, is put on its second reading.

Mr. Goldston moves to amend by including Chatham county; and the amendment is accepted.

Mr. Blocker offers the following amendment:

"No sein or drift net shall extend over half way across the Cape Fear, from Wilmington to Fayetteville."

The question is put on Mr. Blocker's amendment which fails; and the bill with the accepted amendment of Mr. Goldston is put on its second reading and passes, and goes to its third reading.

Mr. Blocker renews the amendment offered by him on the second reading of the bill; on which motion to renew,

Mr. Norment demands the ayes and nays.

The call is sustained, and the motion to renew prevails by the following vote :

Ayes—Messrs. Amis, Anderson, Angier, Banner, Barringer, Bernard, Berry, Bingham, Blalock, Blocker, Bonner, Brooks, Bruce, Bryson, Buchan, Carter of Buncombe, Carter of Yancey, Carson, Coffield, Colwell, Covington, Davis of Haywood, Deans, Dunn, English, Etheridge, Foster, Goldston, Hewett, Hines, Hobbs, Holt, Huffstetler, Johnson, Lindsay, Lockhart, Lutterloh, Mebane, Moore, McLean, Orchard, Powers, Rawley, Richardson of Columbus, Richardson of Wake, Ritchey, Taylor, Wheeler, Wynne and Young —50.

Nays—Messrs. Ardrey, Battle, Bird, Bizzell, Brown of Mecklenburg, Brown of Yadkin, Burroughs, Cole, Carter of Warren, Carroll, Cary, Chadwick, Christmas, Clarke, Davis of Madison, Dimsdale, Ellison, Ferrell, Fulcher, Harrison, Leach, Lowry, Melson, Miller, Norment, Pettipher, Reid of McDowell, Scott, Spruill, Vann, Waddell, White, Wimberly and Woodhouse—33.

The question is now on the bill as amended on the third reading.

On motion of Mr. Norment, the bill with the amendments is referred to the Committee on Propositions and Grievances.

Mr. Colwell announces that his colleague, Mr. Lamb, is detained from his seat in the House to-day by sickness.

THE CALENDAR

is resumed.

H. B. 36, a bill in relation to the Cape Fear and Yadkin Valley Railroad is put on its second reading. The question is on the substitute recommended by the Committee. The substitute is adopted; and as so substituted, the bill, without objection, is put on its several readings and passes,

and is ordered to be engrossed and sent to the Senate for concurrence, and goes forward on the Calendar as H. B. 55.

Mr. Jones moves to reconsider the vote by which the bill passes its third reading, and to lay that motion on the table, and the motion to table prevails.

By consent,

Mr. Atkinson introduces a resolution relating to T. Walton, of Buncombe county, which takes its place on the Calendar.

H. B. 35, a bill to amend chapter 71, sections 4 and 8, laws of 1879, on motion of Mr. English, is referred to the Committee on Finance.

H. B. 38, a bill to amend the Revenue Act of 1879, on motion of Mr. Brown, of Mecklenburg, is referred to the Committee on Finance.

H. B. 37, a bill to increase the Board of Directors of the Cape Fear and Yadkin Valley Railroad, on motion of Mr. York, is referred to the Committee on Rail Roads, Post Roads, &c.

On motion of Mr. Covington, the use of this Hall is granted to the Hon. A. S. Merrimon at half past 7 this evening, to address the General Assembly on the proposition to sell the Western North Carolina Railroad.

THE CALENDAR

is resumed.

H. B. 52, a bill to make the killing of live stock by the cars and engineers running on railroads in this State indictable, is put on its second reading.

Mr. Brown, of Mecklenburg, moves to except Mecklenburg, which is accepted.

Mr. Norment offers the following amendment:

Amend by adding the following: "This act shall apply to all insolvent railroads running or operating in this State."

The question is put on this amendment, and it is rejected.

Mr. Mebane moves to insert after the word "Cleveland" the word "Alamance," which is accepted.

Mr. Berry moves to insert after the word "Alamance" the words "Burke county," which is accepted.

Mr. Clarke offers the following amendment:

Amend by inserting the following section: "This act shall apply to every railroad in North Carolina."

Pending consideration of this amendment, by consent, Mr. Woodhouse, from the Committee on Engrossed Bills, reports that

H. B. 55, a bill to amend the charter of the Cape Fear and Yadkin Valley Road, has been correctly engrossed.

A MESSAGE FROM THE SENATE.

is announced, transmitting

S. R. 24, a resolution of instruction to the Governor of the State; which is read the first time in this House, and placed upon the Calendar.

A MESSAGE FROM THE SENATE

as announced, transmitting

S. B. 19, a bill to amend chap. 293, Public Laws of 1879; which is read the first time in this House, and placed upon the Calendar.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 27, a bill to amend chapter 239, laws of 1874–'5, which is read the first time in this House, and is placed upon the Calendar.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 15, a bill to amend an act in relation to public roads and highways; which is read for the first time in this House, and placed on the Calendar.

The consideration of the H. B. 52 having been interrupted, it goes forward as unfinished business, the question being upon the amendment offered by Mr. Clarke.

Mr. Mebane moves to adjourn until to-morrow morning at 10 o'clock, Mr. Cooke moves to amend by substituting 12 o'clock; which amendment is adopted and the House adjourns to that hour.

FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, March 19th, 1880.

The House meets this morning at 12 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Wood of Durham.

The Journal of yesterday is partially read; and on motion of Mr. Ardrey, the further reading is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS.

By Mr. Ellison, a petition from the officers of the North Carolina Agricultural Association, asking the General Assembly for assistance,

Which is referred to the committee on Propositions and Grievances.

REPORTS FROM COMMITTEES.

The committee on Enrolled Bills reported as correctly enrolled :

H. B. 2, S. B. 10, an act to relieve the citizens of Burke county from the operations of the act prohibiting the driving of cattle west of the Blue Ridge.

H. B. 9, S. B. 13, an act to empower the Board of Commissioners of Cabarrus county to settle with the sheriff of Cabarrus county by compromise all outstanding unsettled business for the years 1871, 1872, 1873, 1874, 1875, 1876, and 1877.

H. B. 13, S. B. 39, an act to amend chapter 79, laws of 1879.

And they are duly publicly ratified by the Speaker of this House.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and resolutions to have been correctly engrossed ; and they are ordered to be transmitted to the Senate for the concurrence of that body :

H. B. 8, a bill to authorize and empower the county commissioners of Union county to apply their surplus railroad fund to the school or general fund.

H. B. 28, a bill to extend the time to redeem land sold to the State.

H. B. 24, a bill relating to roads and other public works in the county of Lenoir.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorably on the following bills, recommending their passage ; on

H. B. 54, a bill to amend chapter 80 of the private laws of 1879, concerning cotton weighers ; and on

H. B. 46, a bill to amend chapter 40, section 2, laws of 1879.

Mr. Ardrey, from the committee on Agriculture, reports unfavorably on

H. B. 27, a bill to protect partridges and quails.

Mr. Jones, from the committee on Corporations reports on

H. B. 22, a bill to incorporate the town of Middleburg in the county of Warren, suggesting certain amendments, and with their adoption, recommending the passage of the bill.

Mr. Colwell, from the committee on Public Roads, to which was referred a number of bills bearing upon the road law of 1879, reported back the bills with a substitute for the whole, the passage of the substitute being recommended by the committee.

INTRODUCTION OF RESOLUTIONS.

Mr. Norment introduces a resolution of inquiry, which is read for the information of the House, and which takes its place upon the Calendar.

Mr. Paxton, a resolution to furnish a carpet for the room of the Keeper of the Capitol; and

Mr. York, a resolution to correct error in the report of the committee on Election of Trustees of the University;

Both of which are placed upon the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and read the first time in this House, and referred or disposed of as follows:

The following are assigned to the Calendar:

By Mr. Smith, a bill to amend chapter 84, laws of 1879;

By Mr. Smith, a bill to amend chapter 264, laws of 1879;

By Mr. Harrell, a bill to prohibit the sale of liquor at Elkville in Wilkes county; and

By Mr. Christmas, a bill to re-establish county government.

The following are referred to the committee on Propositions and Grievances:

By Mr. Armstrong, a bill to repeal the act to prescribe the mode of selling tar;

By Mr. Reid of McDowell, a bill to amend chapters 2 and 32 of the laws of 1879;

By Mr. Woodhouse, a bill to amend chapter 18, Battle's Revisal, section 2; and

By Mr. Melson, a bill for the better protection of navigation in Albemarle Sound and its tributaries.

By Mr. Young, a bill to amend section 25, chapter 70, laws of 1879, which is referred to the committee on Finance.

By Mr. Burroughs, a bill to amend chapter 34, laws of 1873–'74, which is referred to the committee on Salaries and Fees; and

By Mr. Wheeler, a bill to amend chapter 3, Battle's Revisal, which is referred to the Judiciary Committee.

And subsequently, during the course of the morning session,

By Mr. Reid of Macon, a bill to amend chapter 104, laws of 1879, which is referred to the committee on Internal Improvements;

By Mr. Colwell, a bill in relation to the purchase of seed cotton; which is placed on the Calendar; and

By Mr. Rawley, a bill to amend chapter 162, laws of 1876–'77; which is referred to the committee on Education.

The morning hour having expired,

Leave of absence is granted to Mr. Covington from and after to-day until Tuesday next.

On motion of Mr. Foard, leave of absence is granted to the House branch of the joint committee on the Western North Carolina Railroad for to-day, to attend the sittings of said committee.

THE UNFINISHED BUSINESS

of yesterday is announced, being the consideration of

H. B. 52, a bill to make the killing of live stock by railroad engineers and others indictable.

The question is on the amendment of Mr. Clarke.

On a division, there was no quorum voting.

On motion of Mr. Norment, the question is again put, and the amendment is rejected, and the bill is put on its second reading and passes, and goes to its third reading.

On motion of Mr. Mebane, the amendment introduced by him yesterday to insert the word "Alamance" after the word "Cleveland," is stricken out.

Mr. Covington offers the following amendment, which is adopted:

"Amend by inserting in line 13, section 1, after the word "the" and before the word "engineer," the words "President, Receiver and Superintendent of said road and also the."

Mr. Covington submits the following additional amendments, all of which are adopted:

"Amend by inserting in line 41 of section 1, after the word 'indicated,' the words, "who shall meet at some place in the county when the stock is injured or killed, to be selected by the parties interested within thirty days after they are chosen and accept."

"By inserting in line 43, section 1, after the word 'act,' the words 'and that the decision of two of said commissioners shall be final for the purposes of this act.'"

"By inserting in the 5th line from the last of section 1,

after the word 'same,' the words 'as decided by the commissioners as above provided, or a majority of them.'"

"By adding a new section before the enacting clause, in the following words: 'that the indictment provided for in this act shall not lie until a proposition to refer the matter has been proposed by the party claiming that he has been damaged.'"

And as amended, the bill passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

THE CALENDAR

is taken up, and

S. B. 15, H. B. 58, a bill to amend an act in relation to roads and highways, is put on its several readings and passes, and is ordered to be enrolled for ratification.

S. B. 19, H. B. 57, a bill to amend an act to amend chapter 293, laws of 1879, is announced.

Mr. Moore moves the following:

"Amend by adding to this section, section 5, that this act shall only apply to Pitt county."

The amendment is adopted; and as amended the bill passes its several readings and is ordered to be sent to the Senate with engrossed amendment.

S. B. 27, H. B. 59, a bill to amend chapter 239, laws of 1874–'75, is put on its second reading, and objection being made to putting it on its third reading, it goes over under the rules.

H. B. 32, a bill to allow the commissioners of Polk to submit a special tax proposition, passes its third reading by the

following vote, and is ordered to be engrossed and sent to the Senate:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Banner, Barringer, Battle, Berry, Bird, Bizzell, Blalock, Blocker, Bost, Brooks, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Coffield, Colwell, Council, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, English, Ferrell, Foard, Forbes, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Leach, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McGehee, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Smith, Spruill, Taylor, Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young—90.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 21, a bill to incorporate Cape Fear Lodge No. 1841, of Grand United Order of Odd Fellows in the town of Smithville; and

S. B. 35, a bill for the relief of the bondsmen of F. J. Satchwell, late sheriff of Beaufort county.

They are read the first time in this House, and both placed upon the Calendar.

A MESSAGE EROM THE SENATE.

is announced, transmitting

S. B. 9, a bill to authorize the Board of Education of Edgecombe county to pay certain school claims; and

S. B. 17, a bill to amend chap. 232, laws of 1879, which are

read the first time in this House, and take their place upon the Calendar.

THE CALENDAR

is resumed.

S. R. 24, H. R. 12, a resolution of instruction to the Governor is taken up on its second reading.

Mr. Wimberly offers the following amendment, which is rejected:

Amend by striking out "two hundred dollars," and insert "one hundred dollars; and that to be paid by the city of Charlotte."

The question is put on the passage of the resolution on its second reading.

On a division, no quorum votes, there being 48 ayes, nays 3.

Mr. Turner demands the ayes and nays. The call is not sustained, and the question being again put, the resolution passes its second reading.

Objection being made to putting it on the third reading, the resolution goes over.

Mr. Turner rises to a question of personal privilege.

THE CALENDAR

is resumed.

H. B. 40, a bill to amend chapter 82, laws of 1879;

On motion of Mr. Colwell, is laid on the table.

On motion of Mr. Cooke, the substitute offered by Mr. Colwell from the committee on Public Roads for the various road bills upon the committee is ordered to be printed and made the special order for Monday at 12 o'clock M.

Mr. Foy introduces a resolution to give the use of the

hall of the House to Josiah Turner, member of the House at half-past seven o'clock this evening, for the purpose of expressing his views on the proposition to sell the Western North Carolina Railroad. The resolution is placed on the Calendar.

Mr. Turner moves that the resolution introduced by Mr. Norment during this morning's session be printed.

On a division the motion prevails by a vote of ayes 57, nays 10, and the order to print is made.

On motion of Mr. Atkinson the House adjourns until to-morrow morning at 10 o'clock.

SIXTH DAY.

House of Representatives,
Saturday, March 20th, 1880.

The House meets at 10 o'clock this morning, and is called to order by Mr. Speaker Moring.

The reading of the Journal of yesterday is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS.

By Mr. Colwell, a memorial to the General Assembly of North Carolina in relation to the Duplin canal, which is referred to the committee on Internal Improvements;

By Mr. Davis of Madison, a memorial of citizens of Madison county asking for the prohibition of the sale of spirituous liquors within three miles of California, Upper Laurel and Little Creek Churches, in said county, which is referred to the committee on Propositions and Grievances.

By Mr. Vaughan, a petition of citizens of Alleghany county, which is referred to the committee on Education ;

By Mr. Atkinson, a petition from citizens of Buncombe county, to charter a turnpike in Buncombe and Yancey counties, which is referred to the committee on Roads, &c.

By Mr. Reynolds, a petition from citizens of Oberlin, in Wake county, which is referred to the committee on Propositions and Grievances ; and

By Mr. Huffstetler, a memorial in relation to the Kings Mountain Centennial, which is placed on the Calendar.

REPORTS OF COMMITTEES.

Mr. McLean, from the committee on Education, reports favorably on the following bills: on

H. B. 63, a bill to amend chapter 162, laws of 1876'–77.

Mr. Bost, from the committee on Propositions and Grievances, reports favorably on

H. B. 66, a bill to amend sec. 2, chapter 118, of Battle's Revisal; and on

H. B. 74, a bill to amend chapters 2 and 32, laws of 1879.

Mr. Bernard, from the committee on Cities, Towns, &c., reports unfavorably on

H. B. 5, a bill to change the county line between Wilkes and Alleghany counties; and reports on

H. B. 18, a bill to amend chapter 37, laws of 1873–'74, with the recommendation that it be referred to the committee on Propositions and Grievances, and it is so ordered by the House.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and amendments to have been correctly engrossed, and they are transmitted to the Senate for concurrence :

H. B. 52, a bill to make the killing of live stock by the cars and engines on railroads in this State indictable.

H. B. 32, a bill to allow the commissioners of Polk coun-

ty to submit a proposition to levy a tax to the qualified voters of said county.

Engrossed amendment.

S. B. 19, H. B. 57, a bill to amend chapter 293, laws of 1879.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced, read for the first time in this House, and placed on the Calendar:

By Mr. Paxton, a resolution in relation to the room of the Keeper of the Capitol;

By Mr. Powers, a resolution relating to the centinnial of the battle of King's Mountain; and

By Mr. York, a resolution in reference to the sessions of this House.

INTRODUCTION OF BILLS.

The following bills are introduced, read for the first time in this House and are disposed of as follows:

The following bills are placed on the Calendar:

By Mr. Henderson, a bill to repeal the act for the electing of magistrates by the Legislature;

By Mr. Clarke, a bill to amend chapter 283, laws of 1876-'77;

By Mr. Goldston, a bill to amend section 1, chapter 74, laws of 1876–'77;

By Mr. Reynolds, a bill to amend the election laws;

By Mr. Goldston, a bill to construe the act prohibiting the sale of intoxicating liquors within 2½ miles of Hank's Chapel Church, Chatham county;

By Mr. Holt, a bill to amend sections 5 and 6, chapter 116, Battle's Revisal; and

By Mr. Coffield, a bill to protect the fish interests of North Carolina.

The following bill is referred to the committee on Internal Improvements:

By Mr. Colwell, a bill in relation to the Duplin Canal.

LEAVE OF ABSENCE

is granted to Mr. Armstrong and to Mr. Scott from to-day until Monday morning.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 22, a bill to prohibit the sale of intoxicating liquors in certain localities; and

S. B. 12, a bill to amend section 23, chapter 70, laws of 1879, entitled an act to raise revenue; and also

Senate amendments to H. B. 6, a bill to construct a bridge across the Tuckaseige river in Jackson county.

The bills are read the first time in this House, and

S. B. 22 is placed on the Calendar, and

S. B. 12 is referred to the committee on Finance.

The question is put on concurrence in the Senate amendments to H. B. 6.

Concurrence is had, and the bill is ordered to be enrolled for ratification.

THE CALENDAR

is taken up, and

A petition from citizens of Carteret county is ordered to be referred to the committee on Propositions and Grievances.

S. R. 24, H. R. 12, a resolution of instruction to the Governor of the State, is put on its third reading and passes, and is ordered to be enrolled for ratification.

H. R. 14, a resolution to furnish a carpet for the room of the Keeper of the Capitol, is taken up.

Mr. Paxton moves that H. R. 17, a resolution of similar character, introduced by himself this morning, be substituted therefor.

The motion prevails and the question recurs on the substitute, which is adopted.

Mr. Atkinson moves to amend by saying that such carpet shall not exceed $20 in cost.

The amendment is accepted, and the resolution passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Lockhart moves to reconsider the vote by which H. B. 56, a bill to change the time of holding the courts in the Fourth Judicial District had passed its third reading.

The motion to reconsider is put to a vote and prevails.

Mr. Lockhart moves to amend by striking out section 2, it being the section in relation to return of process to Spring Terms of the Courts, and to amend section 4 so as to read as follows :

"That this act shall take effect on the first day of July, A. D. 1880."

The amendment is adopted, and the question recurring on the bill as amended on its third reading, it passes, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Turner offers the following protest, which is ordered to be spread on the Journal :

PROTEST.

"Josiah Turner, member from Orange, protests against the action of this House in adjourning to meet at 12 o'clock,

when, if not industry, the rules of the House require the Legislature to meet at 10 o'clock."

THE CALENDAR

is resumed.

H. R. 10, a resolution for the relief of Noah H. Rice, is taken up and passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. R. 11, a resolution relative to Tinsdell Walton, is taken up, passes its second and third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

H. R. 15, a resolution to correct report of committee on Election of Trustees of the University, is taken up, passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Davis of Haywood, Hon. J. C. L. Gudger is invited to a seat on the floor, and Mr. Davis is appointed a committee to escort that gentleman to the seat.

THE CALENDAR

is resumed.

H. R. 13, a resolution of inquiry, is taken up.

On the passage of the resolution, Mr. Orchard calls for the ayes and nays.

Mr. Atkinson moves to amend by striking out all that relates to Plato Durham.

Mr. McCorkle moves that a committee be appointed to ferret out and investigate the charges made in the resolution.

Mr. Amis moves to lay the resolution on the table, but withdraws the motion for two minutes.

Mr. Clarke moves to postpone until Monday next at 12 M.

Mr. Cooke rises to a question of personal privilege in re-

gard to words used by him in debate, and withdraws the objectionable language.

The consideration of H. R. 13 is resumed, and the question recurring on Mr. Clarke's motion to postpone until Monday at 12 M, it is adopted.

A message is received from the Governor in relation to the King's Mountain Centennial, which is read and transmitted to the Senate with proposition to print.

A message is received from the Senate informing the House of the passage of S. B. 42, a bill to amend an act to incorporate the Granville Railroad Company, and asking concurrence therein.

The bill is read for the first time in this House, and takes its place on the Calendar.

THE CALENDAR IS RESUMED.

H. B. 22, a bill to incorporate the town of Middleburg, Warren county, is taken up.

The question recurring on the amendment brought forward by the committee on Corporations to strike out in section 5, line 3, after the word "quiet," it is adopted.

The bill then passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Ardrey, Banner, Barringer, Battle, Bernard, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Council, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, McCorkle, McLean, Newell, Oliver, Orchard, Osborne,

Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann, Wheeler, White, Wimberly, Woodhouse, York and Young—87.

Nays—None.

Mr. Woodhouse, from the committee on Engrossed Bills, reports

H. B. 56, a bill to change the time of holding the courts in the fourth judicial district, as correctly engrossed.

THE CALENDAR

is again resumed.

H. B. 29, a bill to amend chapter 29, laws of 1879, is taken up.

Mr. Bingham moves to amend by exempting all under 21 years of age.

On a division the amendment is rejected by a vote of ayes 30, nays 32.

The question recurring on the passage of the bill on its second reading, it fails to pass on a division, ayes 17, nays 51.

Mr. Jones moved to reconsider the vote by which the bill failed to pass its second reading.

Mr. Bost moves to lay the motion to reconsider on the table.

The motion to lay the motion to reconsider on the table prevails by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Bingham, Bird, Bizzell, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Yancey, Cary, Christmas, Click, Coffield, Colwell, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ferrell, Foard, Fulcher, Goldston, Harrell, Harrison, Henderson, Hewett, Hobbs, Horton, Lamb, Leach, Leatherwood, Lockhart, Lowry, Mebane, Miller, McLean, Oliver, Paxton, Reynolds, Richardson of Columbus, Richardson of Wake,

Ritchey, Spruill, Vann, Wheeler, White, Wimberly and Young—56.

Nays—Messrs. Battle, Bernard, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Yadkin, Carter of Warren, Carroll, Carson, Cobb, Council, Deans, Ellison, English, Forbes, Foster, Hines, Huffstetler, Jones, Johnson, Lewis, Lutterloh, Melson, Moore, McCorkle, McGehee, Newell, Orchard, Osborne, Pettipher, Powers, Reid of Macon, Reid of McDowell, Smith, Taylor, Vaughan, Waddell, Woodhouse and York —40.

H. B. 3, a bill to incorporate the Durham Railroad Company, is taken up, passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Bost moves to reconsider the vote by which H. B. 3 passed its third reading, and moves to lay that motion on the table. The motion to lay on the table prevails.

A message is received from the Senate transmitting

S. B. 20, a bill to require the Board of Education of Halifax county to pay outstanding claims for teaching in the public schools of the county for the years 1875, 1876, and 1877;

S. B. 23, a bill for the protection of crops in Rowan county; and

S. B. 37, a bill concerning the holding the Superior Courts for the counties of Beaufort and Martin, and asking the concurrence of the House therein.

The bills are read for the first time in this House and are placed on the Calendar.

On motion of Mr. Cobb, the error in S. B. 27, H. B. 59, a bill to amend chapter 239, laws of 1874–'75, is corrected and the bill is ordered to be enrolled for ratification.

On motion of Mr. Bingham, the House adjourns until Monday next at 12 M.

SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, March 22nd, 1880.

The House meets this morning at ten o'clock, and is called to order by Mr. Speaker Moring, and with prayer by the Rev. Dr. Marshall of the City.

The reading of the Journal is dispensed with, and it stands as approved.

INTRODUCTION OF PETITIONS.

Mr. Melson presents a petition, to be followed by a bill, from citizens of Columbia, in the county of Tyrrell, on the subject of prohibition, which goes upon the Calendar.

REPORTS OF COMMITTEES.

Mr. Amis, from the Committee on Salaries and Fees, reports favorably on

H. B. 72, a bill to amend chapter 34, acts of 1873–'74.

Mr. Brown of Mecklenburg, from the Committee on Finance, reports favorably on

S. B. 12, H. B. 89, a bill to amend section 23, chapter 70, public laws of 1879, an act to raise revenue; and unfavorably on

H. B. 71, a bill to amend section 25, chapter 70, laws of 1879.

Mr. Bost, from the Committee on Propositions and Grievances, reports favorably on

H. B. 70, a bill to repeal an act to prescribe the mode of selling tar; and on

H. B. 75, a bill for the better protection of navigation in the waters of Albemarle Sound and its tributaries.

Mr. Armstrong, from the same Committee, reports on

H. B. 33, a bill to provide for the free passage of fish in the Cape Fear River, with a substitute, and recommending that with the adoption of the substitute, the bill do pass.

Subsequently by consent,

Mr. Carter of Buncombe, from the Committee on Internal Improvements, reports favorably on

H. B. 61, a bill to amend chapter 104, laws of 1879.

Mr. Woodhouse, from the Committee on Engrossed Bills, reports the following bills and resolutions to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 3, a bill to incorporate the Durham Railroad Company;

H. R. 17, resolution in relation to the room of the Keeper of the Capitol;

H. R. 10, resolution for the relief of Noah H. Rice;

H. R. 11, resolution in relation to Tinsdell Walton, of Buncombe county;

H. R. 15, resolution to correct report of committee on election of Trustees of the University.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced, read for the first time in this House, and placed on the Calendar:

By Mr. Christmas,

A resolution to be entitled an act to amend chapter 82, section 4, laws of 1879.

By Mr. Turner,

A resolution of inquiry; and

By Mr. Turner,

A resolution expressive of confidence in S. J. Tilden, of New York.

INTRODUCTION OF BILLS.

The following bills are introduced, read for the first time in this House and disposed of as follows:

By Mr. Newell,

A bill to incorporate Star Lodge of Bladen, I. O. O. F. Referred to the committee on Corporations.

The following are placed on the Calendar:

By Mr. Turner,

A bill to amend chapter 193, laws of 1879;

By Mr. Henderson,

A bill to protect the citizens of Richmond county in the sale of wood, &c.;

By Mr. Melson,

A bill to prohibit the sale of spirituous liquors in the township of Columbia, Tyrrell county;

By Mr. Brooks,

A bill to prohibit live stock from running at large on Eagle Island;

By Mr. Mebane,

A bill to incorporate the town Mebaneville, Alamance county; and

By Mr. Dixon,

A bill to prevent the felling of timber in Contentnea creek.

Subsequently, by consent,

The following bills are introduced and placed on the Calendar:

By Mr. Cooke, a bill to amend chapter 117, section 14, Battle's Revisal, in relation to widows' year's support; and

By Mr. Norment,

A bill to define and fix the boundary line between Robeson and Richmond counties.

THE MORNING HOUR

having expired,

Mr. Carter of Buncombe, makes an explanation on behalf of the committee on the sale of the Western North Carolina Railroad, stating that the committee could not report until another meeting was had, which was to be held this morning at 11 o'clock, when they hope to report, and asking leave for the committee to sit during the session of the House.

The explanation is accepted and the leave granted.

THE CALENDAR

is taken up.

H. B. 22, a bill to incorporate the town of Middleburg, is put on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Adrey, Armstrong, Atkinson, Battle, Bernard, Bingham, Bird, Bizzell, Blalock, Blocker, Bost, Brooks, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Ellison, English, Etheridge, Ewing, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McGhehee, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, Waddell, Wheeler,

White, Wimberly, Woodhouse, York, and Young—96.

Nays—None.

H. B. 86, a bill for the protection of the fish interests of North Carolina, is put on its second reading.

Mr. Lewis offers the following amendment;

Amend by inserting, "that this act shall not apply to Tar river in Nash county."

Mr. Blocker offers the following as an amendment to the amendment:

Amend, "no seine shall extend more than half way or to the centre of the channel, between Wilmington and Fayetteville on the Cape Fear river; and no floating or drift net shall be run between Wilmington and Fayetteville on said river from Friday evening at sunset until Monday morning at sunrise."

Mr. Richardson moves to refer the bill to the committee on Fish Interests, which motion, on a division, is defeated. Ayes 33, nays 49.

The question is put on the amendment of Mr. Lewis, and it is adopted; and then on the amendment to the amendment, offered by Mr. Blocker, upon which he demands the ayes and nays. The call is not sustained, and the question is put and the amendment rejected.

The question is then put on the bill as amended on its second reading.

Mr. Davis of Haywood, moves to amend by excluding Pigeon river, in the county of Haywood, from the operation of the bill, and the amendment is accepted.

On the passage of the bill on its second reading,

Mr. Coffield demands the previous question. The call is sustained and the main question ordered, and the question,

being the passage of the bill on its second reading, is put and the bill passes, and without objection to its third reading.

Mr. Bruce moves to strike out Valley River, in Cherokee county, which is adopted.

Mr. Atkinson moves to strike out "Cooper's," in North Fork, and insert " Burnett's," which is accepted.

Mr. Holt offers the following, which is accepted :

Amend by adding " Little river, in Johnston county, from its junction with Neuse river, in Wayne county, to the Wake county line."

Mr. Council offers the following, which is accepted :

Amend by inserting " Elk Creek, a tributary of the Yadkin river, from its mouth to Daniel Wheeler's, in Watauga county."

Mr. Amis moves to refer the bill to the committee on Fish Interests, which motion is rejected.

Mr. Bingham moves to amend by striking out Deep river and Uwharrie river, in Randolph county.

For this amendment,

Mr. English offers the following substitute, which is adopted :

Strike out " Deep river, in Randolph and Guilford counties," and insert " Deep river to the Randolph and Chatham line."

Mr. Richardson moves to strike out Waccamaw river wherever it occurs in the bill, which is accepted, and as amended the bill passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

By consent,

Mr. Carter of Buncombe, reports that since asking leave for the committee on the Western Railroad Company to sit at 11 o'clock, the necessity of his request was done away with by the action of the Senate, which had fixed the final meeting of the committee for half-past 3 this afternoon.

Mr. Carter further announced that the Hon. George Davis and the Hon. Thomas Ruffin would address the General Assembly this evening at half-past 7 o'clock, and moved that the use of this hall be granted for that purpose, and that the Doorkeeper be instructed to reserve seats for the members of two Houses.

The motions are agreed to, and orders made in accordance therewith.

THE CALENDAR

is resumed.

H. B. 66, a bill to amend sec. 2, chapter 104, Battle's Revisal, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Woodhouse, the vote by which the bill passes its third reading is reconsidered and that motion laid on the table.

H. B. 47, a bill for the more speedy procurement of the right of way by the Taylorsville and Wadesboro Railroad Company, and for the better protection of land-owners over whose land said road passes, passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 84, a bill to construe an act to prohibit the sale of spirituous liquors within two-and-a-half miles of Hanks' Chapel in Chatham county, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 27, a bill to protect partridges, quails, &c., on motion of Mr. Bost is laid on the table.

H. B. 67, a bill to prohibit the sale of intoxicating liquors at Elkville, Wilkes county, is put on its second reading.

Mr. Blocker moves to add Gibb's Cross Roads, Cumberland county, which is accepted.

Mr. Bruce moves to include the Baptist church near Allen Heddin's on Nottely river, Cherokee county, which is accepted, and the bill as amended passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 82, a bill to amend section 1, chapter 74, laws of 1876–'77, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Amis,

S. B. 42, H. B. 90, a bill to amend an act to incorporate the Granville Railroad Company, is withdrawn from the Calendar, and referred to the committee on Corporations.

THE FIRST SPECIAL ORDER,

being

H. B. —, a bill to amend chapter 82, laws of 1879, relating to public roads, is announced, and

On motion of Mr. Colwell, the consideration of the bill is postponed, and it is referred to the committee on Public Roads.

THE SECOND SPECIAL ORDER,

being

H. R. 13, resolution of inquiry, is announced.

Mr. Ardrey moves to lay the resolution on the table.

On which motion,

Mr. Turner demands the ayes and nays.

The call is not sustained; and on a division, the House refuses to table by a vote of ayes 41, nays 45.

The question before the House is the motion made by Mr. by Atkinson on Saturday to strike out the name of Plato Durham.

After discussion, Mr. Atkinson withdraws his motion.

The resolutions are discussed at length.

Mr. McGeehee moves to indefinitely postpone the resolutions.

Mr. York moves to lay the amendment on the table.

On that motion,

Mr. Clarke demands the ayes and nays.

The call is sustained, and the resolutions are tabled by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Banner, Barringer, Bernard, Bizzell, Blalock, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Carter of Yancey, Carroll, Chadwick, Click, Cobb, Coffield, Colwell, Davis of Haywood, English, Etheridge, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lowry, Mebane, Melson, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York and Young—67

Nays—Messrs. Battle, Bingham, Bird, Brown of Yadkin, Cale, Carter of Warren, Cary, Christmas, Clarke, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Harrison, Henderson, Hobbs, Miller, Newell, Norment, Osborne, Pettipher, Reynolds, Scott, Spruill, Turner, Vann, White, Wimberly and Wynne—33.

The following

MESSAGES FROM THE SENATE

are announced:

A message transmitting

S. B. 29, a bill to re-enact an act to run and establish the dividing line between the counties of Greene and Wayne,

Which is read the first time in this House and placed on the Calendar.

A message announcing the concurrence of the Senate in proposition of the House to print the message of his Excellency, the Governor, in relation to the celebration of the battle of King's Mountain; and also the concurrence of the Senate in the House amendment to

S. B. 19, H. B. 57, a bill to amend chapter 293, laws of 1879;

A message transmitting

S. B. 16, a bill for the relief of Beaufort county;

S. B. 44, a bill to amend chapter 32, sections 154 and 155, Battle's Revisal; and

S. B. 45, a bill to incorporate the town of Richlands, in Onslow county;

Which are read the first time in this House and placed upon the Calendar;

A message transmitting

S. B. 46, a bill to provide for the removal of causes in the courts of justices of the peace;

Which is read the first time in this House and placed upon the Calendar;

A message transmitting

S. B. 34, a bill to authorize the establishment of graded schools in the town of Salisbury and the township of Goldsboro,

Which is read the first time in this House, and placed upon the Calendar; and

A message transmitting

S. B. 47, a bill to expedite the trial of criminal actions upon their merits; and

Engrossed Senate amendments to H. B. 39, S. B. 41, a bill to classify the public roads of Buncombe and other counties.

S. B. 34 is read the first time in this House, and placed on the Calendar.

Concurrence is had on Senate amendments to H. B. 39, and the bill is ordered to be enrolled for ratification; and a message is ordered to be sent to the Senate informing that body of the action of the House.

On motion of Mr. Scott,

H. B. 15, a bill to incorporate the Wilmington Telegraph Company, is withdrawn from the Committee on Internal Improvements and assigned to the Calendar.

On motion of Mr. Miller, the House adjourns until to-morrow morning at 10 o'clock.

EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, March 23d, 1880.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and opened with prayer by the Rev. W. Watkins of the city.

The reading of the Journal of yesterday is dispensed with, and it stands as approved.

Mr. Waddell asks leave to record his vote in the negative on H. R. 13, a resolution of inquiry which passed the House yesterday, and leave is granted.

INTRODUCTION OF PETITIONS, &C.

Mr. Speaker Moring lays before the House the memorial of Thos. J. Durant on behalf of citizens of the District of

Columbia praying that the influence of the General Assembly of North Carolina may be used to secure to such citizens the rights of suffrage, representation and local government; which is referred to the Committee on Propositions and Grievances.

Mr. Huffstetler, a petition from Gaston county, asking for a division of Crowder's Mountain township, which is referred to the Committee on Cities, Towns, Townships and Counties.

Mr. Clarke, a petition from the Board of Trade of the city of Newbern, asking assistance to build a road; which is referred to the Committee on Internal Improvements.

Mr. Mebane, a petition from citizens of Mebanesville asking for the incorporation of said town; which is referred to the Committee on Corporations.

By Mr. Richardson of Wake, asking this Legislature to prohibit the sale of spirituous liquors within two miles of White Stone Baptist Church in the county of Wake, which is referred to the Committee on Propositions and Grievances.

Mr. Berry, a petition from sundry citizens of Burke county for the appointment of a magistrate in said county; and

Mr. White, a petition from citizens of Scotland Neck, Halifax county, asking the repeal of section 2, chapter 40, laws of 1879; both of which are placed upon the Calendar.

REPORTS OF COMMITTEES.

Mr. Carter of Buncombe, from the Joint Committee on the W. N. C. Railroad, makes a report on H. B. 1, the bill acted upon by the committee, with amendments. On his motion, five hundred copies of the bill are ordered to be printed for the use of the General Assembly.

Mr. Ardrey, from the Committee on Agriculture, reports unfavorably on

H. B. 31, a bill to amend an act, ratified the 7th day of March, 1879, to prevent live stock from running at large in Rowan, Davie, Cabarrus and other counties.

Mr. Holt, from the Committee on Corporations, reports on

S. B. 42, H. B. 90, a bill to incorporate the Granville railroad, with an amendment, recommending the passage of the bill as amended; and on

H. B. 94, a bill to incorporate the Star of Bladen Lodge, number 1967 of the Grand United Order of Odd Fellows, of Bladen county, North Carolina, recommending its passage.

Mr. Colwell, from the Committee on Public Roads, reports back H. B. ——, as a substitute for all the bills on the public roads referred to his committee, and recommending its passage.

Mr. Clarke, from the Committee on the Judiciary, reports on

S. B. 7, H. B. 42, a bill to abolish private seals and to prescribe a short form of deed, recommending the passage of the bill in the form it came from the Senate; on

S. B. 47, H. B. 105, a bill to expedite the trial of criminal actions on their merits, with an amendment, recommending the passage of the bill with the adoption of the amendment; and favorably on

H. B. 43, a bill to amend chapter 69 of Battle's Revisal.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 67, a bill to prohibit the sale of intoxicating beverages at Elkville, in Wilkes county, and other places in this State.

H. B. 86, A bill to protect the fish interest in North Carolina.

H. B. 84, A bill to construe an act to prohibit the sale of liquor within 2½ miles of Hanks' Chapel, in Chatham county.

H. B. 22, a bill to incorporate the town of Middleburg, in the county of Warren.

H. B. 47, a bill for the more speedy procurement of the right of way by the Taylorsville and Wadesboro Railroad Company.

H. B. 82, a bill to amend chapter 84, section 1, private laws of 1876–'77.

INTRODUCTION OF RESOLUTIONS.

The following resolutions were introduced, read for the first time in this House and disposed of, as follows:

By Mr. Blocker, a resolution for the relief of John Gee, which is referred to the committee on Finance; and

By Mr. Norment, a resolution expunging the record in relation to J. William Thorne; which is placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced, read for the first time in this House, and placed on the Calendar:

By Mr. Waddell, a bill to relieve draymen from the payment of a special tax;

By Mr. Bruce, a bill to authorize A. M. Crowder & Son to erect a dam across Notteley river, Cherokee county;

By Mr. Pettipher, a bill to allow the county board of magistrates to appoint in certain cases;

By Mr. Horton, a bill to amend chapter 232, laws of 1879;

By Mr. Scott, a bill to relieve firemen from the payment of poll tax;

By Mr. Scott, a bill to repeal chapter 141, laws of 1876–'77;

By Mr. Scott, a bill to amend section 2, chapter 70, laws of 1879;

By Mr. Scott, a bill to amend chapter 92, laws of 1879; and

By Mr. Scott, a bill to repeal chapter 242, laws of 1876–'77.

The following bill is referred to the committee on Counties, Cities, Towns and Townships:

By Mr. Huffstetler, a bill to create a new township in Gaston county.

The following bill is referred to the committee on Internal Improvements:

By Mr. Clarke, a bill to incorporate the Board of Trade of Newbern.

The following bills are referred to the committee on Finance:

By Mr. Scott, a bill to amend section 2, chapter 70, laws of 1879; and

By Mr. Scott, a bill to amend chapter 70, laws of 1879.

The following bill is referred to the committee on the Judiciary:

By Mr. Amis, a bill to amend chapter 164, laws of 1876 and 1877.

The Speaker laid before the House the memorial of Thomas Wallace and others of New York, covering a proposition to purchase the State's interest in the Atlantic and North Carolina Railroad, the North Carolina Railroad, and the Western North Carolina Railroad.

Mr. Turner moves to refer the memorial to the committee on Internal Improvements and to print.

Mr. Jones calls for a division of the question; and the question is put on the motion to refer, which is lost. And then upon the motion to print, which is also lost; and on motion, the memorial is referred to the joint select committee on the W. N. C. Railroad.

The morning hour having expired,

Mr. Ardrey moves to reconsider the vote by which

H. B. 82, a bill to amend section 1, chapter 74, laws of 1876–'77, passed its third reading, for the purpose of correction.

The motion prevails and reconsideration is had.

Mr. Ardrey moves to amend by striking out in the 5th line the figures "74" and insert "84."

The amendment is agreed to, and as amended, the bill is put on its third reading and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Carter of Buncombe, asks unanimous leave to take up H. B. 1, for the purpose of making it the special order for 12 o'clock to-day.

Mr. Turner moves to postpone until to-morrow at 12.

On a division, the motion to postpone is rejected by a vote of ayes 47, nays 50.

The question is on the motion of Mr. Carter.

Mr. Turner moves to substitute two o'clock.

The question on the amendment is put and lost, and then on Mr. Carter's motion, which is adopted.

THE SPECIAL ORDER

being

S. B. 23, H. B. 92, a bill for the protection of crops in Rowan county, is announced, and the bill is put on its several readings and passes, and is ordered to be enrolled for ratification.

By consent,

Mr. Norment introduces a resolution of instruction to the Speaker of the House, which is placed on the Calendar.

Mr. Speaker Moring lays before the House the resignation of Henry D. Roberson, member of the House from Martin county.

THE UNFINISHED BUSINESS

of yesterday is announced, being

H. B. 64, a bill to change the time of holding the Superior Courts of Jones and Carteret counties.

The bill is put on its several readings and passes, and is

ordered to be engrossed and sent to the Senate for concurrence.

THE CALENDAR

is taken up, and

H. B. 50, a bill to prohibit the sale of spirituous liquors within 5 miles of Hadnot, Bethlehem and Oak Grove churches in Carteret county is put on its several readings, and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 53, a bill to amend the charter of High Point in Guilford county is put on its second reading, and passes by the following vote:

Ayes—Messrs. Anderson, Armstrong, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale. Carter of Yancey, Carson, Cary, Christmas, Clarke, Click, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, English, Ewing, Ferrell, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Spruill, Taylor, Vann, Waddell, Wheeler, White, Woodhouse, York, and Young.—93.

Nays—none.

S. B. 46, H. B. 107, a bill to provide for the removal of causes in courts of Justices of the Peace, is put on its several readings, and passes, and is ordered to be enrolled for ratification.

S. B. 12, H. B. 89. a bill to amend section 23, chapter 70,

of the laws of 1879, passes its several readings, and is ordered to be enrolled for ratification.

S. B. 9, H. B. 76, a bill to authorize the Board of Education of Edgecombe county to pay certain school claims, is put on its second reading;

Mr. Armstrong moves to insert Pender county;

Mr. Spruill, to insert Washington county;

Mr. Brooks, to insert Brunswick county;

And the amendments are all accepted; and as so amended, the bill passes its several readings, and is ordered to be sent to the Senate with engrossed amendments.

By consent,

Mr. Wynne introduces a resolution in favor of I. W. Rogers, which is referred to the committee on claims.

On motion of Mr. Vaughan, the resolutions introduced during this morning's session by Mr. Norment in favor of John H. Brooks, Representative from Brunswick county, are taken up and put on their passage and adopted.

THE CALENDAR

is resumed.

S. B. 22, H. B. 88, a bill to prohibit the sale of intoxicating liquors in certain localities, is put on its second reading.

Mr. Clarke moves to amend by inserting "within three-quarters of a mile of Hall's Chapel, in Wake county."

Mr. Reid of McDowell moves to amend by inserting "Old Fort Depot, in McDowell county."

Mr. Barringer moves to insert "within two miles of Zion Wesley church in Iredell county."

Mr. Bird moves to insert "Holly Springs Academy and church in Henderson county, two miles."

Mr. Bruce moves to insert "Snow Hill church in Cherokee county, one mile."

Mr. Lockhart moves to amend by inserting "or Olivet Methodist church in Anson county."

Mr. Melson moves to amend by inserting "within the incorporate limits of Columbia, Tyrrell county."

The amendments are all adopted; and as so amended, the bill passes its several readings, and is ordered to be sent to the Senate with engrossed amendments.

Mr. Anderson asks the use of this Hall this evening at half past seven o'clock for the Hon. A. S. Merrimon to speak on the question of the sale of the Western N. C. R. R., and leave is granted.

A MESSAGE FROM THE SENATE

is received, transmitting Senate amendments to

H. B. 3, S. B. 73, a bill to charter the Durham Railroad Company.

The question is put on concurrence, which is had and the bill is ordered to be enrolled for ratification, and a message sent to the Senate informing that body of the action of the House.

ALSO A MESSAGE FROM THE SENATE

transmitting

S. B. 69, a bill to incorporate the town of Aurora in the county of Beaufort,

Which is read for the first time in this House, and placed on the Calendar;

ALSO A MESSAGE FROM THE SENATE

transmitting

S. R. 54, a resolution requiring the Secretary of State to purchase a map for the use of the Senate;

Which is read for the first time in this House and placed on the Calendar.

ALSO A MESSAGE FROM THE SENATE

transmitting

S. B. 31, a bill to protect the citizens of North Carolina from the stock of citizens of South Carolina; and

S. B. 55, a bill to amend chapter 33, private laws of 1876–'77.

They are read for the first time in this House and placed upon the Calendar.

Mr. Clarke by consent introduces a resolution complimentary to H. D. Roberson, late member of the House from Roberson county, which is at once put on its reading, and unanimously adopted.

THE SPECIAL ORDER

for the hour of 12 is announced, being

H. B. 1, a bill in regard to the sale of the Western North Carolina Railroad.

On motion of Mr. Jones, the House goes into Committee of the Whole.

Mr. Jones in the Chair.

The Committee rises and reports progress through the Chairman Mr. Jones; reporting that they had considered the substitute prepared for the original bill by the Joint Select Committee, and have adopted it, and beg to be discharged.

The question is put to the House on the adoption of the substitute, and it is adopted.

Mr. Carter moves that the consideration of the bill be postponed until to-morrow at half past ten A. M.

On motion of Mr. Jones, it is resolved to make the bill the "unfinished business" from day to day until it is finally dis-

posed of; and on his farther motion, the House adjourns until to-morrow morning at 10 o'clock.

NINTH DAY.

House of Representatives,
Wednesday, March 24th, 1880.

The House meets this morning at 10 o'clock, Mr. Speaker Moring in the Chair.

The reading of the Journal of yesterday is dispensed with and it stands as approved.

REPORTS OF COMMITTEES.

Mr. Davis of Haywood, from the committee on Internal Improvements, reports favorably on

H. B. 115, a bill to incorporate the Board of Trade of Newbern.

Mr. Bernard, from the committee on Cities, Towns, Townships and Counties, reports favorably on

H. B. 113, a bill creating a new township in Gaston county.

Mr. Woodhouse, from the Committee on Engrossed Bills, reported the following bills and amendments to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 5, a bill to prohibit the sale of spirituous liquors within five miles of Hadnot, Bethlehem and Oak Grove churches in Carteret counties.

H. B. 64, a bill to change the time of holding the superior courts in Jones and Carteret counties.

Engrossed amendments to

S. B. 9, H. B. 76, a bill to authorize the board of education of Edgecombe county to pay certain school claims.

Engrossed amendments to

S. B. 22, H. B. 88, a bill to prohibit the sale of intoxicating liquors in certain localities.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner, a resolution, which is read for the first time and placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced, read for the first time in this House and disposed of as follows:

Placed on the Calendar:

By Mr. Ferrell, a bill to repeal chapter 179, laws of 1879;

By Mr. English, a bill to incorporate the town of Randleman's Mills, Randolph county;

By Mr. Scott, a bill to incorporate the Coast Turnpike Company, and

By Mr. Fulcher, a bill to amend section 1, chapter 260, laws of 1876–'77.

Referred to the Committee on the Judiciary:

By Mr. English, a bill to punish forgers and certain other evil doers, and

By Mr. Ellison, a bill to amend section 229, chapter 17, Battle's Revisal.

Referred to the Committee on Internal Improvements:

By Mr. Clarke, a bill to provide for the construction of the Newbern and Beaufort Canal, and

By Mr. Brown of Mecklenburg, a bill to amend the charter of the Atlanta and Charlotte Railway Company.

Referred to the Committee on Propositions and Grievances:

By Mr. Cobb, a bill to amend section 6, chapter 135, laws of 1879.

The morning hour having expired

Mr. Turner offers a protest, which being read, the Speaker rules that it cannot be spread upon the journals because criticisms upon the chief executive of the state are not proper matters to go upon the journal, and that the protest contains other matter improper, and not a constitutional subject of protest; and directs the paper to be returned to the introducer.

Mr. Turner appeals from the decision of the Speaker, and the question on the appeal being put to the House, the ruling of the Speaker is sustained.

THE UNFINISHED BUSINESS,

being the bill in relation to the sale of the Western North Carolina Railroad is announced.

Mr. McGehee moves that its consideration be postponed until certain bills requiring the ayes and nays shall have been acted on; and the motion is agreed to, and

S. B. 34, H. B. 106, a bill to authorize the establishment of graded schools in the town of Salisbury and the township of Goldsboro, is put on its second reading.

Mr. Deans offers the following amendment, which is adopted:

"In section 8, in line 2, after the word 'Wayne,' add: 'If in their discretion they deem it advisable;'"

and the bill passes its second reading by the following vote:

Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey,

Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young—106.

S. B. 16, H. B. 103, a bill for the relief of Beaufort county, is put on its second reading.

Mr. Osborne offers the following amendment which is rejected:

"Provided this act shall first be submitted to the qualified voters of Beaufort county, under the same rules and regulations as are provided for the election of members of the General Assembly."

And the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carson, Cary, Chadwick, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Haywood, Davis of Madison, English, Forbes, Foster, Fulcher, Goldston, Grant, Harrison, Hewett, Holt, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Mebane, Melson, Miller, Moore, McCorkle, McGehee, McLean, Oliver, Orchard, Paxton,

Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young —73.

Nays—Messrs. Battle, Cale, Christmas, Dixon, Dunn, Ellison, Foy, Henderson, Hobbs, Horton, Lutterloh, Newell, Norment, Osborne, Pettipher, Scott, Spruill, Vann, White, Wimberly and Wynne—21.

S. B. 45, H. B. 108, a bill to incorporate the town of Richlands in Onslow county, passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Battle, Bernard, Berry, Bird, Bizzell, Blalock, Bost, Brooks, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Clarke, Click, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Forbes, Foster, Foy, Flucher, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hobbs, Holt, Horton, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Mebane, Melson, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Spruill, Taylor, Vann, Vaughan, White, Wimberly, Woodhouse, York, and Young.—90.

Nays—Messrs. Bingham, and Norment.—2.

H. B. 99, a bill to incorporate the town of Mebaneville in Alamance county, is put on its second reading, and passes by the following vote:

Ayes—Messrs. Anderson, Angier, Armstrong, Atkinson, Banner, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Bonner, Bost, Brooks, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson,

Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McGhehee, McCorkle, McLean, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, Wheeler, White, Wimberly, Woodhouse, and Young—97.

Nay—none.

H. B. 58, a bill to amend the charter of the town of High Point in the county of Guilford, is put on its third reading, and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Armstrong, Atkinson, Banner, Barringer, Battle, Bernard, Berry, Bizzell, Blalock, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carson, Cary, Chadwick, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McGhehee, McLean, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers Rawley, Reid of Macon, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young—95.

Nay—Mr. Christmas—1.

S. B. 69, H. B. 125, a bill to incorporate the town of Au-

rora in the county of Beaufort, passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Banner, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hines, Hobbs, Horton, Huffstetler, Johnson, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McGhehee, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, White, Wimberly, Woodhouse, York, and Young—97.

Nays—none.

On motion of Mr. English, it is resolved that when this House adjourns to-day it adjourn to half past seven o'clock to consider matters not pertaining to the Western North Carolina Railroad.

THE UNFINISHED BUSINESS,

being H. B. 1, for the sale of the Western North Carolina Railroad, is announced, but

On motion of Mr. Colwell, it is postponed to admit a motion to make H. B. — a bill introduced as a substitute for all bills relating to the public roads, the special order for to-night at 8 o'clock;

And it is so ordered by the House.

THE UNFINISHED BUSINESS

is resumed.

The Speaker announces that the bill is before the House for amendments, and that amendments will be introduced and numbered and considered separately in due order.

Mr. Clarke moves that the bill be taken up by sections, amended, and that the section as amended be finally acted on.

On this motion, Mr. Ellison demands the ayes and nays. The call is sustained, and the motion is rejected by the following vote:

Ayes—Messrs. Amis, Anderson, Armstrong, Banner, Barringer, Battle, Bingham, Bird, Blalock, Bonner, Brooks, Bruce, Buchan, Cale, Carter of Warren, Chadwick, Christmas, Clarke, Covington, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Henderson, Hewett, Hines, Hobbs, Horton, Lindsay, Lowry, Miller, Norment, Osborne, Pettipher, Richardson of Columbus, Richardson of Wake, Scott, Spruill, Vann, White, Wimberly and Wynne—47.

Nays—Messrs. Angier, Ardrey, Atkinson, Bernard, Berry, Bizzell, Bost, Brown of Mecklenburg, Bryson, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Click, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, English, Etheridge, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Holt, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lockhart, Mebane, Melson, Moore, McCorkle, McGehee, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of McDowell, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York and Young—60.

The bill is put on its second reading, and Mr. Richardson of Columbus, offers the following amendment:

Amend by inserting at the end of section 7, the following words:

"*Provided*, that the said W. J. Best and Company, their successors and assigns, shall transport the convicts furnished by the State under this act, and all provisions necessary to the support of said convicts, free of charge over the railroads under his or their control and conveyed by this act; and shall, at his own expense, erect all stockades and other buildings necessary to the safe keeping of said convicts."

Pending discussion on this amendment,

On motion of Mr. English, the House adjourns until tonight at half past 7 o'clock.

EVENING SESSION.

HOUSE OF REPRESENTATIVES,
Wednesday, March 24th, 1880.

The House meets at half past 7 o'clock, and is called to order by Mr. Speaker Moring.

Mr. Lindsay announces that his colleague, Mr. Rawley, is detained from his seat in the House by sickness.

THE CALENDAR

is taken up, and

H. B. 46, a bill to amend chapter 40, section 2, laws of 1879 is put on its several readings, and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 132, a bill to incorporate the town of Randleman

Mills in Randolph county, is put on its second reading, and passes by the following vote:

Ayes—Messrs. Angier, Ardrey, Atkinson, Banner, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Burroughs, Cale, Carter of Yancey, Carson, Chadwick, Click, Colwell, Council, Davis of Haywood, Davis of Madison, English, Ewing, Foster, Fulcher, Gatling, Goldston, Grant, Henderson, Horton, Huffstetler, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, Newell, Norment, Orchard, Powers, Reid of Macon, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, Wheeler, White, Woodhouse, Wynne and York —60.

Nay—Mr. Christmas—1.

S. B. 37, H. B. 93, a bill concerning the holding of the Superior Courts for the counties of Beaufort and Martin, is put on its second reading.

Mr. Osborne offers to amend by striking out the word "Beaufort," which is adopted, and as amended the bill passes its second reading and goes to its third reading.

On motion of Mr. Vaughn, the amendment offered by Mr. Osborne, and adopted on the second reading of the bill, is stricken out, and the question being put the bill passes its third reading, and is ordered to be enrolled for ratification.

S. B. 7, H. B. 42, a bill to abolish seals, and prescribe a short form of deeds, is put on its second reading, and on a division, fails to pass, by a vote of ayes 17, nays 47

THE SPECIAL ORDER

being,

H. B. —, a bill offered as a substitute for the various bills offered during this session affecting the road laws, is announced.

The substitute is read.

Mr. Hines offers the following amendment to sec. 4:

"Provided that the provisions of this act shall not apply to young men who are boarding away from home attending school."

Mr. Carroll moves as an amendment to the amendment, the striking out of the word "young," which is accepted.

Mr. Atkinson offers the following which is read for information:

Amend section 2 by striking out all after the word "storm."

The question is put on the amendment of Mr. Hines, and on a division, it is rejected by a vote of 23 ayes, 56 nays.

The question is put on the amendment of Mr. Atkinson, and it is rejected.

Mr. Powers offers the following amendment:

Amend section 1 by adding,

"Provided, however, that no supervisor shall receive any compensation for his services as supervisor of public roads."

Mr. Leatherwood offers the following as an amendment to the amendment:

"Provided that nothing in this act shall apply to the counties of Jackson, Macon, Clay, Graham, Swain, Haywood, Alleghany, Mecklenburg, Watauga, McDowell, Yancey, Forsythe and Stokes, which is accepted.

Mr. Norment moves to add the following section as a substitute for the whole:

"That each and every county in the State shall have just

such a road law as the County Commissioners in their wisdom may elect."

The question is put on this amendment, and it is rejected.

Mr. Moore offers the following amendment:

'Amend by striking out section 6," which is rejected.

Mr. Lockhart moves to lay the whole matter on the table.

The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Anderson, Banner, Bernard, Bird, Bizzell, Blalock, Bonner, Bost, Buchan, Carter of Yancey, Carson, Davis of Madison, Dimsdale, English, Ewing, Ferrell, Foard, Fulcher, Gatling, Goldston, Grant, Horton, Leach, Leatherwood, Lindsay, Lockhart, Mebane, Melson, Moore, McLean, Oliver, Powers, Reid of Macon, Smith, Taylor, Vann, Woodhouse and Young—38.

Nays—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Berry, Bingham, Blocker, Brooks, Burroughs, Cale, Carroll, Chadwick, Christmas, Click, Coffield, Colwell, Cook, Council, Covington, Davis of Haywood, Deans, Dixon, Dunn, Ellison, Foster, Foy, Harrison, Henderson, Hewett, Hines, Huffstetler, Jones, Johnson, Lewis, Lowry, Lutterloh, Miller, Newell, Norment, Orchard, Osborne, Reid of McDowell, Richardson of Columbus, Ritchey, Scott, Spruill, Vaughan, Wheeler, White, Wimberly, Wynne and York—55.

The question is now on the bill on its second reading. Mr. Colwell demands the previous question. The call is sustained and the main question ordered.

The question before the House is the adoption of the substitute which is adopted, and the bill so substituted is put on its second reading, and passes.

On motion of Mr. Colwell, the House orders the bill to be put on its third reading.

Mr. Ritchey offers the following amendment:

"Provided this act shall not include ministers of the Gospel to work as hands."

The question is put and the amendment is rejected.

On the passage of the bill Mr. Colwell demands the "previous question." The call is sustained and the main question ordered.

The question is on the passage of the bill on its third reading, and it passes and is ordered to be engrossed, and sent to the Senate for concurrence.

H. B. 91, a bill to prohibit the sale of spirituous liquors in the town of Columbia, Tyrrell county, is put on its second reading.

Mr. McGehee offers a substitute for the bill which is adopted by the House, and the bill passes its second reading, and is ordered by the House to a third reading, and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

S. R. 54, H. R. 28, a resolution to furnish a map for the use of the Senate is put on its second reading and passes, and goes to its third reading.

Mr. Anderson moves to amend by inserting "and one for the House."

Mr. Holt moves to lay the resolution on the table; and on a division, the House refuses to table by a vote of ayes 48, nays 34.

The question is then put on the amendment of Mr. Anderson, which, on a division, is rejected; and then on the resolution on its third reading; and it passes, and is ordered to be enrolled for ratification.

H. B. 61, a bill to amend the laws of 1879, chapter 104, is announced,

When, on motion of Mr. English, the House adjourns till 10 o'clock to-morrow morning, and the bill goes forward as unfinished business.

TENTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, March 25th, 1880.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Gwaltney of this city.

The reading of the Journal is dispensed with and it stands as approved.

INTRODUCTION OF PETITIONS.

By Mr. Ardrey, a petition of citizens of Mecklenburg county for the prohibition of the sale of spirituous liquors in two miles of Torrence Chapel in Mecklenburg county; and

By Mr. Click, a petition of eighty citizens of Iredell county for the incorporation of St. Michael's Evangelical Lutheran Church in said county; both of which are placed on the Calendar.

REPORTS OF COMMITTEES.

Mr. Armstrong from the Committee on Propositions and Grievances, reports favorably on

H. B. 130, a bill to amend section 6, chapter 135, laws of 1879; and on

H. B. 5, a bill to change the county line between Wilkes and Alleghany counties; and unfavorably on

H. B. 51, a bill to amend chapter 70, Schedule B. of the Revenue law of 1878–'9, relating to billiard saloons; on

H. B. 18, a bill to amend chapter 137, laws of 1873–'4; and on

H. B. 34, a bill to amend chapter 116 of Battle's Revisal.

And reports on

H. B. 45, a bill concerning the North Carolina Industrial Association, recommending its reference to the committee on Finance.

Mr. Davis of Catawba, from the committee on Internal Improvements, reports favorably on

H. B. 128, a bill to provide for the construction of the Newbern and Beaufort Canal.

Mr. Davis of Catawba, from the committee to superintend the election of Trustees of the University, makes a supplementary report correcting the error in the omission of the name of Noah P. Foard, elected on the 23rd of January, 1879.

Mr. Vaughan from the committee on the Judiciary, reports on

H. B. 16, a bill to authorize the justices of the peace to issue warrants in bastardy cases, other than their own in certain cases, with an amendment, and recommending the passage of the bill with the adoption of the amendment.

Mr. Clarke from the committee on Internal Improvements, reports favorably on

H. B. 129, a bill to amend the charter of the Atlanta and Charlotte Air Line Railroad.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced, read for the first time in this House and placed on the Calendar:

By Mr. Turner, a resolution of request to the Attorney General;

By Mr. Turner, a resolution of inquiry;

By Mr. Turner, a resolution of instruction to the committee investigating matters connected with the School Bill; and

By Mr. Council, a joint resolution on adjournment.

INTRODUCTION OF BILLS.

The following bills are introduced, read for the first time in this House and plaeed on the Calendar:

By Mr. Brown of Mecklenburg, a bill to amend section 8, chapter 7, Battle's Revisal;

By Mr. Click, a bill to incorporate the Trustees of St. Michael's Lutheran Evangelical Church;

By Mr. McCorkle, a bill to aid in the construction of the Taylorsville & Wadesboro railroad;

By Mr. Angier, a bill to amend section 2, chapter 325, laws of 1879;

By Mr. Smith, a bill to make Muddy Creek, Davidson county, a lawful fence;

By Mr. Blocker, a bill to amend chapter 293, laws of 1879;

By Mr. Cooke, a bill to allow the Inferior Court of Halifax county to continue for two weeks; and

By Mr. Covington, a bill to amend section 1, chapter 25, Battle's Revisal.

The morning hour having expired,

The unfinished business of yesterday is announced, but on motion of Mr. English is postponed for the consideration and disposition of such bills as requires the ayes and nays.

H. B. 129, a bill to amend the charter of the Charlotte and Atlanta Air Line Road is put on its readings, and

passes and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Jones, it is ordered that the amendments introduced by him to

H. R. 13, and which constitute a part of the proceedings of this House on Monday the 23rd inst., be expunged from the Journals of this House, inasmuch as the resolutions themselves having been laid on the table, the amendments aforesaid stand in unexplained relation to other matter.

THE CALENDAR

is taken up under the motion of Mr. English.

S. B. 34, H. B. 106, a bill to authorize the establishment of graded schools in the town of Salisbury and township of Goldsboro, is put on its third reading, and passes as amended on its second reading, and passes by the following vote, and is ordered to be sent to the Senate with engrossed amendments:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Coffield, Colwell, Cooke, Council, Covington, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ewing Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Letherwood, Lewis, Lockhart, Lowry, Lutierloh, Mebane, Melson, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Spruill, Taylor, Vann, Vaughan,

Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young—101.

Nays—none.

On motion of Mr. McCorkle, Mr. P. B. Means, a former member of this House, is invited to a seat on the floor of the House, and Mr. McCorkle is appointed to conduct him to a seat.

Mr. Covington rises to a question of personal privilege in regard to a report of his remarks yesterday as set forth in the *Raleigh News.*

Mr. Atkinson rises to a question of personal privilege in regard to a matter in the debate yesterday on H. B. 1.

Mr. Carter rises to a question of personal privilege on the same.

Mr. Atkinson again rises to the same.

THE CALENDAR.

is resumed.

S. B. 16, H. B. 103, a bill for the relief of Beaufort county is put on its third reading.

Mr. Osborne offers the following amendment:

"Strike out $4,000 and insert $2,000 per year. To be levied, collected and paid over for the following county indebtedness and no other, to-wit: For the purchase of the Washington toll bridge for the purpose of a free ferry, $5,000; repairs and keeping of said ferry, $1,000; insolvents, $1,000; for the South Creek bridge, $1,000. *Provided, further*, that the county commissioners for Beaufort county shall first submit to the qualified voters of said county for ratification or rejection under such rules and regulations as are now provided by law for the election of members of the General Assembly."

Mr. Osborne obtains the ayes and nays, and the amendment is rejected by the following vote:

Ayes—Messrs. Anderson, Battle, Berry, Bingham, Bird, Blocker, Brooks, Bruce, Cale, Carter of Warren, Carson, Cary, Christmas, Clarke, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Harrison, Henderson, Hewett, Hobbs, Horton, Huffstetler, Lindsay, Lowry, Lutterlow, Miller, Newell, Norment, Osborne, Pettipher, Reynolds, Scott, Spruill, Vann, White, Wimberly, Wynne and Young—45.

Nays—Messrs. Amis, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Carter of Buncombe, Carter of Yancey, Carroll, Chadwick, Click, Colwell, Cooke, Council, Covington, Davis of Catawba, Foard, Foster, Fulcher, Gatling, Goldston, Harrell, Hines, Holt, Jones, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Mebane, Melson, Moore, McCorkle, McGehee, McLean, Oliver, Orchard, Paxton, Powers, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Taylor, Vaughan, Woodhouse and York—54.

The question is then put on the passage of the bill on its third reading, and it passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Banner, Barringer, Bernard, Berry, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Buchan, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, English, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Hines, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Mebane, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Reid of Macon, Reid of McDowell, Richardson of Columbns, Rich-

ardson of Wake, Ritchey, Smith, Taylor, Wheeler, Woodhouse, York and Young—68.

Nays—Messrs. Battle, Bingham, Bird, Blocker, Brooks, Bruce, Cale, Carter of Warren, Cary, Christmas, Deans, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Harrison, Henderson, Hobbs, Horton, Lowry, Lutterloh, Miller, Newell, Norment, Osborne, Pettipher, Reynolds, Scott, Spruill, Vann, White and Wimberly—34.

Mr. Woodhouse, from the committee on Engrossed Bills, reports engrossed amendments to

S. B. 34, in relation to the graded schools of Salisbury and Goldsboro township, and they are sent to the Senate for the concurrence of that body.

THE CALENDAR

is resumed.

H. B. 99, a bill to incorporate the town of Mebanesville, in the county of Alamance, is put on its third reading, and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence.

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Clarke, Click, Coffield, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Ellison, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann,

Wheeler, White, Wimberly, Woodhouse, York and Young. —91.

Nays—none.

On motion of Mr. Carter, of Buncombe, the House resolves that when the House adjourns this morning, it adjourns to half-past seven this evening.

H. B. 132, a bill to incorporate the town of Randleman Mills, Randolph county, is put on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence :

Ayes—Messrs. Anderson, Angier Ardrey, Armstrong, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blalock, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, Wheeler, White, Wimberly, Woodhouse and York—94.

Nays—none.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 70, a bill to amend section 20, chapter 70, of the laws of 1879; and

S. B. 89, a bill concerning taxes and revenue;

Which are read for the first time in this House and placed on the Calendar.

ALSO A MESSAGE FROM THE SENATE

transmitting

S. B. 88, a bill to be entitled an act to amend an act entitled an act to provide for the laying off a road from Quaker Bridge in Jones county to a point near Tar Landing in Onslow county, chapter 260, laws 1878–'79; and

S. B. 94, a bill to be entitled an act to amend chapter 83, of the laws of 1879;

Which are read for the first time in this House and placed on the Calendar.

ALSO A MESSAGE FROM THE SENATE

recalling

S. B. 55, a bill to amend chapter 33, private laws of 1876-'77.

And the request of the Senate is responded to and the bill aforesaid returned to that body.

MESSAGE FROM THE GOVERNOR

is announced,

Communicating information in regard to the Western Insane Asylum, which is read, and by order of the House, is transmitted to the Senate for the action of that body.

On motion of Mr. Carter of Buncombe, the House goes into the order of the day, being the amendment of Mr. Richardson of Columbus. to H. B. 1.

The amendment is fully discussed, and then

Mr. Richardson of Columbus demands the previous question.

The call is sustained and the main question ordered.

The question is upon the amendment of Mr. Richardson of Columbus, which is put, and is lost by the following vote:

Ayes—Messrs. Anderson, Armstrong, Barringer, Battle, Berry, Bingham, Bird, Brooks, Bruce, Buchan, Carter of Warren, Chadwick, Christmas, Clarke, Covington, Davis of Catawba, Deans, Dixon, Dunn, Ferrell, Foy, Henderson, Hewett, Hines, Hobbs, Horton, Jones, Lamb, Lindsay, Lowry, Newell, Norment, Osborne, Paxton, Pettipher, Reid of McDowell, Richardson of Columbus, Scott, Vann, Wimberly and Wynne—41.

Nays—Messrs. Amis, Angier, Ardrey, Atkinson, Banner, Bernard, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bryson, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Click, Coffield, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Dimsdale, Ellison, English, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Holt, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lockhart, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McGehee, McLean, Oliver, Orchard, Powers, Reid of Macon, Reynolds, Ritchey, Smith, Spruill, Taylor, Vaughan Wheeler, White, Woodhouse, York and Young—68.

Mr. Atkinson offers the following amendment:

Amend section 18 by striking out all after the word "act" in line 25, down to and including the word "act" in line 26, and inserting in lieu thereof,

"And in no contingency shall the said grantees enforce their said lien for such expenditures, either in law or in equity, until the said road shall be completed to the town of Murphy; and if said road shall never be completed then said lien shall never be enforced, but then said lien shall be regarded and treated as so much capital stock of said company paid for."

By consent,

Mr. Norment introduces a resolution to extend the time of J. B. McLeod, tax collector of Robeson county; which is placed on the Calendar.

On motion of Mr. Carter of Buncombe, the House adjourns to half past 7 o'clock this evening; and the amendment of Mr. Atkinson comes up as unfinished business.

Evening Session.

Thursday Evening, March 25th, 1880.

The House meets this evening at half past 7 o'clock, and is called to order by Mr. Speaker Moring.

THE UNFINISHED BUSINESS

of the morning session is announced, and

On motion of Mr. Bryson, is postponed for five minutes, to dispose of

H. B. 61, a bill to amend the laws of 1879, which bill went over from last night's session; which is now put on its several readings and passses, and is ordered to be engrossed and sent to the Senate for concurrence.

H. R. 18, a resolution in relation to the King's Mountain Centennial, is put on its readings.

On the passage of the resolution on its second reading, Mr. Jones demands the ayes and nays.

Mr. Vaughan offers the following amendment:

"*Provided*, that each member of this General Assembly shall each pay five dollars of this amount."

Mr. English offers an amendment which the Speaker

rules out as not germane to the amendment to which it is offered as an amendment.

The regular order is again announced; and

On motion of Mr. Jones is again postponed for five minutes, on a division by a vote of ayes 41, nays 20.

On the passage of the resolution on its second reading,

Mr. Powers demanded the previous question.

The call is sustained, and the main question ordered.

The question is put on the amendment of Mr. Vaughan, which is rejected.

Mr. Powers withdraws his call for the ayes and nays.

Mr. York renews the call, and it is sustained, and the question being put, the resolution passes its second reading by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Banner, Bernard, Bost, Buchan, Carter of Buncombe, Click, Coffield, Council, Davis of Catawba, Davis of Haywood, Dunn, Ellison, English, Forbes, Foy, Gatling, Harrell, Huffstetler, Jones, Johnson, Leatherwood, Lockhart, Moore, McCorkle, McGhehee, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Smith, Spruill, Taylor, Wheeler, White, Woodhouse, and Young—48.

Nays—Messrs. Barringer, Battle, Bizzell, Blalock, Brown of Mecklenburg, Burroughs, Cale, Carter of Warren, Carson, Cary, Christmas, Colwell, Dimsdale, Ferrell, Foster, Goldston, Grant, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Leach, Lewis, Lindsay, Lowry, Mebane, Miller, Richardson of Columbus, Richardson of Wake, Vann, Vaughan, Waddell, Wimberly, Wynne and York—37.

Mr. Brown of Mecklenburg, moves to amend by striking out "$1,500," and inserting "$1,200."

The regular order is again announced; and on motion of Mr. Cobb, it is postponed until the matter before the House is disposed of.

The resolution goes to its third reading.

Upon which Mr. Powers demands the previous question.

The call is sustained, and the main question ordered.

The question is on the amendment of Mr. Brown of Mecklenburg, on which Mr. Turner calls the ayes and nays, which call is not sustained, and the question is put on the amendment, and it is rejected.

The resolution is then put on its third reading and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Woodhouse moves to reconsider the vote by which the resolution passes its third reading and to lay that motion on the table; and the motion to table prevails.

The regular order is resumed; the question being on the amendment of Mr. Atkinson, offered this moring.

Mr. Covington gives notice of several amendments.

The Speaker rules that it is incompetent to offer more than one amendment at a time.

The amendment is discussed at length.

Mr. Moring—Mr. Vaughan in the Chair—moves that the amendment be indefinitely postponed and yields his time to Mr. McGhehee.

Mr. Jones renews the motion to indefinitely postpone, and yields his time to Mr. McGhehee.

At the close of whose remarks, Mr. Moring withdrew the motion to indefinitely postpone.

On the passage of the bill on the second reading, Mr. Carter of Buncombe calls the previous question.

The call is sustained and the main question ordered.

The following amendments are offered:

By Mr. Davis of Catawba:

"SEC. 25. That the work now in progress in Catawba county, making a change in the main line of the Western North Carolina Railroad, shall be continuously prosecuted and completed during the year 1880; and that the town of Newton shall thus be placed permanently on the main line of

the road. And should the change aforesaid, when completed, render necessary a change in said main line at the town of Conover, then, and in that case, the present location of said main line shall not be moved west of the Morganton dirt road; and the said grantees, their successors or assigns, shall build at their own cost, a suitable depot in the town of Conover. That the depot square, known as the Public Square on the W. N. C. R. R., in the town of Hickory, said to contain about five acres of land, conveyed by Henry W. Robinson to the W. N. C. R. R. Co., for the purpose of a railroad depot warehouse for receiving and shipping goods, is hereby set apart, and shall always be kept as such public square, and shall neither be sold nor leased, in whole or in part by said grantees, their successors or assigns, to any other person or person, nor be used by said grantees, their successors or assigns for any purpose other than may be necessary or convenient for the proper operations of said W. N. C. R. R., and not be diverted to any use other than was specially intended."

Mr. Lindsay, Mr. Clarke, Mr. Cristmas, Mr. Carter of Warren, Mr. Cale and Mr. Ellison offer amendments.

Under the operations of the previous question, the question is now on the amendment of Mr. Atkinson, upon which Mr. Atkinson demands the ayes and nays.

The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Anderson, Armstrong, Atkinson, Barringer, Battle, Berry, Bird, Blalock, Brooks, Bruce, Buchan, Cale, Chadwick, Christmas, Clarke, Covington, Davis of Catawba, Deans, Dunn, Ellison, Ferrell, Foy, Hewett, Hines, Hobbs, Lindsay, Lowry, Miller, Newell, Norment, Paxton, Pettipher, Reid of McDowell, Reynolds, Richardson of Columbus, Scott, Turner, Vann, Waddell, White, Wimberly and Wynne—42.

Nays—Messrs. Amis, Angier, Adrey, Banner, Bernard, Bizzell, Bonner, Bost, Brown of Mecklenburg, Bryson, Bur-

roughs, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Click, Coffield, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Dimsdale, English, Etheridge, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Holt, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lockhart, Mebane, Melson, Moore, McCorkle, McGhehee, McLean, Oliver, Orchard, Powers, Reid of Macon, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—63.

The question is then on the amendment of Mr. Davis of Catawba, upon the adoption of which that gentleman demands the ayes and nays. The call is sustained, and the amendment rejected by the following vote:

Ayes—Messrs. Anderson, Armstrong, Atkinson, Battle, Bird, Blalock, Brooks, Buchan, Burroughs, Cale, Carter of Warren, Chadwick, Christmas, Clarke, Covington, Davis of Catawba, Deans, Ewing, Ferrell, Foy, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Miller, Newell, Pettipher, Reid of McDowell, Richardson of Columbus, Scott, Turner, Vann, Waddell, Wimberly and Wynne—37.

Nays—Messrs. Amis, Angier, Ardrey, Banner, Bernard, Bizzell, Bonner, Bost, Brown of Mecklenburg, Bryson, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Click, Coffield, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Dimsdale, Ellison, English, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Mebane, Melson, Moore, McCorkle, McGehee, McLean, Norment, Oliver, Orchard, Powers, Reid of Macon, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vaughan, Wheeler, White, Woodhouse, York and Young—61.

Mr Lindsay's amendment, as follows, is read :

Amend section 4 by striking out "Thomas J. Jarvis and

Zebulon B. Vance," and inserting in lieu thereof Hon. B. S. Gaither and Jas. P. Dillard."

The question is put and rejected.

The first amendment of Mr. Clarke, as follows, is read:

Amend by striking out the word "only" in line two of said section.

Upon the adoption of which Mr. Clarke demands the ayes and nays.

The call is sustained, and the amendment rejected by the following vote:

Ayes—Messrs. Armstrong, Barringer, Battle, Bird, Blalock, Brooks, Bruce, Buchan, Cale, Carter of Warren, Christmas, Clarke, Covington, Davis of Catawba, Deans, Dunn, Ellison, Ewing, Ferrell, Foy, Henderson, Hobbs, Lowry, Newell, Norment, Pettipher, Reid of McDowell, Reynolds, Richardson of Columbus, Scott, Vann, Waddell, White, Wimberly, and Wynne—35.

Nays—Messrs. Amis, Angier, Ardrey, Bernard, Berry, Bizzell, Bonner, Bost, Brown of Mecklenburg, Bryson, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Click, Coffield, Colwell, Cooke, Council, Davis of Haywood, Dimsdale, English, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Holt, Huffstetler, Johnson, Leatherwood, Lewis, Lockhart, Mebane, Melson, Miller, Moore, McCorkle, McGhehee, McLean, Oliver, Orchard, Powers, Reid of Macon, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York and Young—61.

Mr. Clarke's second amendment, as follows, is read and rejected;

Amend section 3 by adding the following words: "And said instrument shall convey only such interest, right, title

and estate as the State has in such property without warranty."

The third amendment, as follows, of Mr. Clarke, is read and rejected :

Amend by inserting, before section 2 of said act, the following : " That upon the depositing with the State Treasurer the sum of $550,000 in cash, or of the new 4 per cent. bonds of the State by the said grantees named below."

The fourth amendment of Mr. Clarke is read and rejected :

Amend section 6 by striking out in line 11 of said section the words " one hundred and twenty-five," and inserting in lieu thereof, " two hundred dollars."

The fifth amendment of Mr. Clarke is read and rejected :

Amend by inserting in line 4 of section 7, after the word " convicts," the following : " If they have so many in the penitentiary."

The amendment of Mr. Christmas, as follows, is read and rejected :

Amend section 20, line 2, after the word " cities," " nor any locality."

The amendment of Mr. Carter of Warren, as follows, is read and rejected :

Section 6, in line 11, insert after the words " per annum," " exclusive of boarding, clothing and guarding."

A second amendment of Mr. Christmas, as follows, is read and rejected:

Amend by adding at the end of section 25, the following: "Provided, however, that all of the foregoing be submitted to the qualified voters."

The amendment of Mr. Ellison, as follows, is read and rejected:

Amend section 7 by inserting: "Provided that none of said convicts shall be worked in any tunnel on said road for a longer period than six hours in every twenty-four."

The amendment of Mr. Cale, as follows, is read and rejected:

Amend section 6, line 11, by striking out "one hundred and twenty-five," and inserting "one hundred and fifty."

The amendment of Mr. Scott, as follows, is read and rejected:

Amend section 2 by striking out the words "The United States Trust Company of New York," wherever they shall occur in this section, or any other section of the bill, and insert in lieu thereof the words "The bank of New Hanover at Wilmington, N. C."

The question is then on the passage of the bill on its second reading, upon which

Mr. Carter of Buncombe, demands the ayes and nays.

The call is sustained, and the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Banner, Barringer, Battle, Bernard, Berry, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Click, Coffield, Colwell, Cooke, Council, Davis of Haywood, Dimsdale, Ellison, English, Ewing, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Mebane, Melson, Miller, Moore, McCorkle, McGhehee, McLean, Norment, Oliver, Orchard, Paxton, Powers, Reid of Macon, Reynolds, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vaughan, Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young —82.

Nays—Messrs. Armstrong, Bird, Brooks, Buchan, Cale, Carter of Warren, Chadwick, Christmas, Clarke, Covington, Davis of Catawba, Deans, Dunn, Ferrell, Foy, Lowry, Pettipher, Reid of McDowell, Richardson of Columbus, Scott, Turner, Vann and Waddell—22.

Mr. Vaughan moves that the vote by which H. B. 82, a bill to amend section 1, chapter 74, laws of 1876–'77, passed this House be reconsidered. The motion prevails and the bill is reconsidered, and it is ordered that a message be sent to the Senate recalling the same.

On motion of Mr. Carter of Buncombe,

H. B. 1 is made the special order for to morrow morning at half past ten o'clock.

On motion of Mr. English, the use of this Hall is granted to Col. John P. Winston, for 4 o'clock, P. M., for the purposes of an address.

On motion of Mr. McLean, the House adjourns until to-morrow morning at 10 o'clock.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, March 26th, 1880.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring.

So much of the Journal of yesterday as refers to the action of the House on H. B. 1, during the session of last night, is read.

Mr. Hines asks and obtains leave to change his vote from the negative to the affirmative on the vote on the amendment of Mr. Clarke to strike out the word "only."

Leave is granted to Mr. Dixon to record his vote in the negative on the passage of H. B. 1, on its second reading.

Leave is granted to Mr. Davis of Madison, and to Mr. Bingham, to record their votes in the affirmative in the same vote.

Mr. Cobb has leave to record his vote in the affirmative in the same vote; and also to Mr. Osborne to record his vote in the affirmative on the same vote.

Mr. Ewing has leave to record his vote in the affirmative in the vote on the amendment of Mr. Richardson of Columbus;

And the Journal, as so amended, is approved.

REPORTS OF COMMITTEES.

Mr. Brown of Mecklenburg, from the committee on Finance, reports unfavorably on the petition of W. W. Lenoir from Caldwell county.

Mr. Richardson of Columbus, from the same committee, reports unfavorably on

H. B. 20, a bill to reduce the sheriff's commissions in Rowan county from 5 to 3 per cent.

Mr. Bonner, from the committee on Claims, reports back with a substitute,

H. R. 25, a resolution in favor of I. W. Rogers, and recommending the adoption of the substitute.

Mr. Davis of Haywood, from the committee on Internal Improvements, reports favorably on

H. B. 87, a bill in relation to the Duplin Canal.

Mr. Clarke, from the committee on the Judiciary, reports favorably on

H. B. 21, a bill to give to sub-contractors, laborers and material men, a lien for their just claims; and on

H. B. 122, a bill to amend chapter 164, laws of 1876–'77.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills, &c., to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 137, a bill to amend an act entitled an act to prohibit the sale of intoxicating liquors in certain localities;

H. B. 46, a bill to amend chapter 40, section 2, laws of 1876;

H. B. 136, a bill to amend chapter 82, laws of 1879, entitled an act to provide for the keeping in repair the public roads in the State;

H. B. 132, a bill to incorporate the town of Randleman Mills, in the county of Randolph;

H. B. 129, a bill to amend the charter of the Atlanta & Charlotte Air Line Railway Company;

H. B. 99, a bill to incorporate the town Mebaneville in the county of Alamance;

H. B. 61, a bill to amend the laws of 1879, chapter 104; also,

Supplemental report of committeee to superintend election of Trustees of the University of North Carolina.

The Committee on Enrolled Bills reports as correctly enrolled:

An act to amend the charter of the Cape Fear & Yadkin Valley Railroad Company;

An act to amend section 1, chapter 206, laws of 1879;

An act authorizing and empowering the county commissioners of Union county to apply their surplus railroad fund to the school or general fund;

An act to amend chapter 239, section 1, laws of 1874–'75;

Resolution in favor of Noah H. Rice;

An act to extend the time to redeem land sold to the State for taxes;

An act to prohibit the sale of intoxicating liquors in certain localities;

An act to amend section 2, chapter 118, Battle's Revisal;

An act to make the killing of live stock by the cars and engines running on railroads in the State indictable;

An act concerning the holding of the superior courts for the counties of Beaufort and Martin;

An act to amend section 23, chapter 70, of the public laws of 1879, entitled an act to raise revenue;

An act to incorporate the Durham Railroad Company;

An act to classify the public roads of Buncombe and other counties;

An act to amend chapter 293, laws of 1879;

An act to provide for the removal of causes in courts of justices of the peace;

Resolution requiring the Secretary of State to purchase a map for the use of the Senate;

An act to construct a bridge over the Tuckaseige river in Jackson county.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced, read for the first time in this House, and placed on the Calendar:

By Mr. Richardson, a resolution on adjournment.

INTRODUCTION OF BILLS.

The following bill is introduced, read for the first time in this House and referred to the committee on Judiciary:

By Mr. Scott, a bill to amend chapters 92 and 116, laws of 1879.

The following bills are introduced, read for the first time in this House and referred to the committee on Corporations:

By Mr. Richardson of Columbus, a bill to incorporate the Historical and Scientific Society of Wilmington, North Carolina; and

By Mr. Moore, a bill to amend chapter 20, private laws of 1873–'74, to incorporate the town of Bethel, Pitt county.

The following bills are introduced, read for the first time in this House and placed on the Calendar:

By Mr. Dunn, a bill concerning guano and commercial fertilizers;

By Mr. Dunn, a bill to amend chapter 94, laws of 1879;

By Mr. Ellison, a bill concerning the working of convicts in tunnels;

By Mr. Armstrong, a bill to amend chapter 138, laws of 1871–'72;

By Mr. Armstrong, a bill to authorize the commissioners of New Hanover county to levy a special tax;

By Mr. Scott, a bill to incorporate Clarendon Council, No. 67, of the American Legion of Honor;

By Mr. Powers, a bill to amend sections 5 and 15, chapter 84, Battle's Revisal;

By Mr. Davis of Catawba, a bill to authorize A. M. Powell of Catawba county, and others, to erect a toll bridge across the Catawba river at or near Wide Shoal;

By Mr. Norment, a bill to repeal section 1, chapter 137, laws of 1873–'74, also section 1, chapter 171, laws of 1872–'73; and

By Mr. Covington, a bill to incorporate the town of Wake Forest College, Wake county.

Mr. Woodhouse, from the committee on Engrossed Bills, makes a supplementary report on

H. R. 18, a resolution in relation to the Centennial of the Battle of King's Mountain, as correctly engrossed; and it is transmitted to the Senate for concurrence.

The morning hour having expired,

Mr. Atkinson rises to a question of personal privilege in regard to matters contained in a telegram from Asheville, and published in this morning's Observer.

Mr. Brown of Mecklenburg rises to a question of personal privilege in regard to the report of his remarks on the resolution in relation to the King's Mountain celebration, as appears in this morning's News.

The Speaker announces his ratification of certain bills reported as correctly enrolled by the committee on Enrolled Bills; and also informing the House that he withholds his signature from the resolution authorizing thé purchase of a map for the use of the Senate, for the want of the signatures of the majority of the committee. Subsequently, the resolution having been returned to the committee, the additional signatures are added, and the resolution is duly ratified by the Speaker of this House.

THE SPECIAL ORDER,

being

H. B. 1, sale of the Western N. C. Railroad,

Mr. Carter of Buncombe, obtains the floor, but yields his time to Mr. Covington.

Mr. Covington gives notice of his purpose to send forward several amendments.

Mr. Carter of Buncombe, asks to insert in the bill the following, which was omitted in the House copy of the bill, but which appears in the Senate copy:

Amend by inserting after the figures "48" in the first line of section 25, the words "and all after the word disabilities" in line 37 of section 29.

Mr. Atkinson makes announcement of the following amendment agreed upon between the Western members and Mr. Best:

Amend by striking out all after the word "railroad" in line 8, section 25, and inserting the following in lieu thereof:

"The work on said road shall be resumed and prosecuted under the various acts of the General Assembly as provided by law."

Mr. Berry offers the following amendment, which is read for information:

Amend by saying "William J. Best and associates shall pay to the county of Burke $25,000, which is less than one-fourth the amount which said county has paid out and has to pay for the construction of said Western North Carolina Railroad."

On the passage of the bill on its third reading, Mr. Carter of Buncombe, demands the previous question. The call is sustained and the main question ordered.

The question is on the amendment of Mr. Carter of Buncombe, which is adopted;

And then on the amendment of that of Mr. Atkinson, upon the adoption of which Mr. Covington demands the ayes and nays. The call is not sustained, and the amendment is rejected.

Under notice given previous to the order of the previous question, Mr. Covington submits the following amendments, which are introduced in the order named below, and which are acted on successively, and all rejected:

No. 1. Amend section 2, by inserting at the end thereof the following words:

"Provided that said instrument shall be so framed as to prevent said grantees, their successors or assigns, from changing the present gauge of the Western North Carolina Railroad; and the several lines conveyed to the grantees shall correspond in gauge to that now upon said road."

No. 2. Amend section 2 by striking out the words:

"The United States Trust Company of New York," wherever they occur in this section or any other part of the bill, and insert in their place the words "the Bank of New Hanover, at Wilmington, N. C."

No. 3. Amend section 2 by striking out the word "some" in line 11, and insert in lieu and stead thereof, the words "Western North Carolina Railroad."

No. 4. Amend by striking out in section 3, and in second line thereof, the word "only."

No. 5. Amend by inserting at the end of section 16, the following:

"And the said grantees, their successors and assigns, shall, in such event, forfeit to the State all rights under this act; and all work which they may have done on either or both lines of railroad; and the State shall not in any manner refund to them any money they may have spent thereon, and shall not be liable in damages."

No. 6. Amend section 17, line 17, by striking out the words "as by law may be directed," and insert in their lieu and stead the words "in such manner as the General Assembly from time to time shall direct."

The question is then put on the amendment of Mr. Berry, which is rejected;

And the bill is put on its third reading.

On its passage, Mr. Foard demands the ayes and nays.

The call is sustained, and the bill passes its third reading by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Banner, Barringer, Battle, Bernard, Berry, Bingham, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Dimsdale, Ellison, English, Etheridge, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lockhart, Mebane, Melson, Miller, Moore, McCorkle, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Wake, Ritchey, Smith, Spruill, Taylor, Vann, Vaughan, Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young—89.

Nays—Messrs. Bird, Brooks, Buchan, Chadwick, Christmas, Clarke, Covington, Davis of Catawba, Deans, Dixon, Dunn, Ewing, Ferrell, Foy, Lowry, Pettipher, Reid of McDowell, Richardson of Columbus, Scott, Turner and Waddell—21.

On motion of Mr. Vaughan, the vote by which the bill passed its third reading is reconsidered, and that motion laid on the table.

By consent,

Mr. Norment introduces a bill for the relief of the taxpayers of North Carolina, which is placed on the Calendar.

Mr. Woodhouse, from the committee on Engrossed Bills, makes a supplementary roport; reporting that

H. B. 1, a bill in relation to the Western North Carolina

Railroad, has been correctly engrossed; and it is transmitted to the Senate for concurrence.

THE CALENDAR

is taken up, and

S. B. 91, H. B. 147, a bill to amend section 1, chapter 257, laws of 1879, is put on its several readings and passes, and is ordered to be enrolled for ratification.

By consent,

Mr. Dimsdale introduces a resolution on adjournment, which is placed on the Calendar.

LEAVE OF ABSENCE.

Indefinite leave of absence is granted to Mr. Covington after to-day.

To Mr. Ewing after to-morrow, on account of sickness; and

To Mr. White for the same cause.

THE CALENDAR

is resumed.

H. B. 113, a bill to create a new township in Gaston county, is put on its readings.

Mr. Huffstetler moves to amend by substituting the words "South Carolina" in lieu of the initials "S. C." wherever they occur.

The amendment is adopted; and as amended, the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 21 is announced on its second reading.

Mr. Turner rises to a question of personal and parliamentary privilege, and after being heard at length he is called to order by the Speaker. Mr. Turner refuses to take his seat

and the Doorkeeper is ordered to seat him. Mr. Turner persists in defying the authority of the House, and the Speaker in a few remarks calls the attention of the House to his conduct.

Mr. Foard then offers the following resolution:

"*Resolved by the House of Representatives*, that on account of the disorderly conduct of Josiah Turner, the member from Orange, he be expelled from this House."

The Speaker then calls Mr. Cooke of Franklin to the Chair, and Mr. Moring, taking the floor, states his own relation to the matter in controversy and that he had endeavored to enforce the rules of the House impartially.

Mr. Turner was heard at length.

Mr. Clarke moves to indefinitely postpone the resolution.

Mr. Mebane moves to postpone the consideration of the matter to 8 o'clock this evening, which is agreed to.

Mr. Mebane moves to adjourn, and the House adjourns to half past 7 o'clock.

Evening Session.

House of Representatives,
Friday Evening, March 26th, 1880.

The House meets this evening at half past 7 o'clock, and is called to order by Mr. Speaker Moring.

Leave is granted to Mr. Blocker, and to Mr. Lutterloh to record their votes in the affirmative on H. B. 1 which passed its third reading this morning.

A MESSAGE FROM THE SENATE

is received, announcing the passage by that body of

S. R. 109, a resolution on adjournment, and asking the concurrence of this House, and it is transmitted without engrossment.

Which, by consent, is put at once on its several readings and passes, and is ordered to be enrolled for ratification.

A MESSAGE FROM THE SENATE

is received, informing the House that that body had passed

S. B. 90, a bill to incorporate the town of Burnsville, Yancey county; also transmitting

S. R. 59, a resolution in relation to the Centennial Celebration of of the battle of Guilford Court-house, and asking the concurrence of the house therein.

They are transmitted without engrossment, and are placed upon the Calendar.

A MESSAGE FROM THE SENATE

is received, informing the House of the passage by that body of the following resolutions and bills, and asking the concurrence of the House therein :

S. R. 101, a resolution instructing the Public Treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones, deceased ;

S. B. 95, a bill to allow L. M. Long, late tax collector of Halifax county, to collect arrears of taxes for the year 1878 ;

S. B. 104, a bill to amend section 1, chapter 194, laws of 1876–'77; and

S. B. 105, a bill to employ a messenger for the Supreme Court;

All of which are transmitted without engrossment.

They are read the first time in this House, and take their place on the Calendar.

A MESSAGE FROM THE SENATE

is received, informing the House of the passage, by that body, of

S. B. 102, a bill in regard to the collection of taxes in Robeson county, and asking the concurrence of the House therein.

The bill is transmitted without engrossment.

It is read the first time in this House, and

On motion of Mr. Norment, is put on its readings, and passes, and is ordered to be enrolled for ratification.

S. R. 101, a resolution instructing the Public Treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones, deceased,

On motion of Mr. Cooke, is put on its several readings, and passes, and is ordered to be enrolled for ratification.

Mr. McCorkle is announced as detained from his seat in the House to-night by sickness.

By consent,

Mr. Vaughan introduced a bill providing for the sale of the State's interest in the Western North Carolina Railroad, which, by consent, is put on its several readings, and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

By consent,

Mr. Carter of Buncombe, introduces a bill to commute and settle certain outstanding indebtedness of the late Eastern Division of the Eastern North Carolina Railroad, which is read the first time in this House and placed on the Calendar.

THE UNFINISHED BUSINESS

of the morning being the resolution introduced by Mr.

Foard, for the expulsion of Josiah Turner, a member of this House, is taken up.

Mr. Ellison moves to postpone the consideration of the resolution until to-morrow at 10 o'clock, and make it the special order for that hour.

Mr. Clarke moves to indefinitely postpone the resolution.

Mr. Norment moves to lay the resolution on the table, on which motion

Mr. Turner demands the ayes and nays, which motion is not sustained, and the question recurs on the motion of

Mr. Ellison, which he then withdraws.

The question is then put on the motion of Mr. Clarke, which fails.

Mr. Covington offers the following as a substitute for the resolution of Mr. Foard:

Resolved by the House of Representatives,

1. That we unqualifiedly approve the course and rulings of the Speaker of this House in his administration of the rules thereof, and especially his fair and patient bearing with Josiah Turner, a member from Orange.

2. That it is the opinion of this House that said member from Orange has been guilty of the grossest improprieties upon the floor of this House in his disorderly, contumacious and defiant conduct, violating the rules of this House in a wilfully disrespectful manner.

3. That said member from Orange be arraigned for his said misconduct, unbecoming in a member of this House, at the bar thereof, and that the Speaker duly censure him for such misbehavior.

On the adoption of the resolution,

Mr. Covington demands the previous question.

The call is sustained, and the main question ordered, and the question is on the adoption of the substitute.

Mr. Turner rises to a question of personal privilege.

The Speaker rules Mr. Turner out of order.

Mr. Turner appeals from the decision of the Speaker.

Mr. Cooke in the chair, and the House sustains the decision of the chair.

The question is then on the adoption of the substitute, and it is adopted.

Mr. Turner, he being present when the resolution is adopted, is called to the bar of the House. He does not respond, and the Door Keeper is ordered to bring him to the bar of the House. The Door Keeper reports that Mr. Turner has left the Hall.

Mr. Foard offers the following resolution:

"*Resolved by the House of Representatives*, that on account of the disorderly conduct of the member from Orange, Mr. Josiah Turner, he be expelled from this House."

Mr. Foard demands the previous question on the adoption of the resolution. The motion prevails, and the main question ordered.

The question is on the adoption of the resolution. It is adopted; and the Speaker, Mr. Cooke in the chair, declares that Josiah Turner, a member of the House from the county of Orange is expelled from this House as a member of this body, and the Chief Clerk of the House is directed to issue his certificate to the date of expulsion.

THE UNFINISHED BUSINESS,

being

H. B. 21, a bill to give sub-contractors, laborers and material men, a lien for their just claims is put on its readings and passes, and

H. B. 114, a bill to amend chapter 232, laws of 1879, prohibiting the sale of spirituous liquors within three miles of Chowan Baptist Female Institute, passes its several read-

ings, and they are ordered to be engrossed and sent to the Senate for concurrence.

S. B. 69, H. B. 125, a bill to incorporate the town of Aurora, in the county of Beaufort, is put on its third reading, and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Anderson, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blocker, Bonner, Bost, Brooks, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Yancey, Carroll, Chadwick, Christmas, Clarke, Click, Colwell, Cooke, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Huffstetler, Johnson, Lamb, Leatherwood Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Reid of McDowell, Reynolds, Ritchey, Scott, Smith, Spruill, Taylor, Waddell, Wheeler, Wimberly, Woodhouse, Wynne York and Young—87.

Nay—Mr. Etheridge.

Mr. Holt obtains leave to record his vote in the affirmative on the passage on its third reading of H. B. 1, passed this House this morning; and Mr. Armstrong, to record his vote in the negative on the same bill.

S. B. 164, a bill to incorporate the town of Wake Forest College, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 70, H. B. 146, a bill to amend section 20, chapter 70, laws of 1879, passes its several readings, and is ordered to be enrolled for ratification.

S. B. 17, H. B. 77, a bill to amend chapter 232, laws of 1879, passes its several readings and is ordered to be enrolled for ratification.

H. B. 38, a bill to amend the revenue act of 1879, is put on its second reading.

Mr. Lockhart moves to refer the bill to the committee on Finance.

Mr. Dimsdale offers an amendment which is ruled out as not germane to the question.

And the question is put on the passage of the bill on its second reading, and on a division it passes, and goes to its third reading.

On the passage of the bill on the third reading, Mr. Davis of Haywood, demands the ayes and nays. The call is sustained, and the bill passes by the following vote:

Ayes—Messrs. Amis, Atkinson, Battle, Bost, Brown of Mecklenburg, Buchan, Cale, Carter of Buncombe, Carroll, Christmas, Colwell, Cooke, Davis of Catawba, Deans, Dunn, Ellison, Ewing, Ferrell, Forbes, Foy, Harrison, Hewett, Hines, Hobbs, Lamb, Lockhart, Lutterloh, Moore, Norment, Orchard, Osborne, Reynolds, Richardson of Columbus, Scott, Taylor, Waddell, Wheeler, White, Wimberly, Wynne and York—41.

Nays—Messrs. Armstrong, Barringer, Berry, Bingham, Bird, Bonner, Brooks, Bruce, Chadwick, Council, Davis of Haywood, Dimsdale, Foard, Foster, Fulcher, Goldston, Grant, Henderson, Huffstetler, Johnson, Leach, Leatherwood, Lowry, Mebane, Miller, McLean, Powers, Reid of Macon, Reid of McDowell, Ritchey, Smith, Vaughan and Young —33.

On motion of Mr. York, the use of the Hall is tendered to Mr. W. J. Best at four o'clock p. m. to address the General Assembly on the subject of the W. N. C. Railroad.

Mr. Lockhart moves to reconsider the vote by which H. B. 38, passed its third reading, and lay that motion on the table.

Mr. Vaughan moves to adjourn, but withdraws the motion.

Mr. Davis of Haywood, renews the motion.

On that motion Mr. Lockhart demands the ayes and nays. The call is sustained, and the House refuses to adjourn by the following vote:

Ayes—Messrs. Barringer, Bingham, Berry, Bird, Blocker, Bruce, Council, Davis of Haywood, Deans, Foard, Foster, Grant, Leach, Leatherwood, Miller, Orchard, Osborne, Paxton, Reid of Macon, Richardson of Columbus, Ritchey, Vaughan Wheeler and Young—24.

Nays—Messrs. Amis, Anderson, Armstrong, Atkinson, Battle, Bonner, Bost, Brooks, Brown of Mecklenburg, Burroughs, Cale, Carter of Yancey, Carroll, Chadwick, Christmas, Click, Colwell, Cooke, Davis of Catawba, Dimsdale, Dunn, Ellison, Ewing, Ferrell, Foy, Hewett, Hines, Hobbs, Huffstetler, Johnson, Lamb, Lindsay, Lockhart, Lutterloh, Moore, Norment, Powers, Reid of McDowell, Reynolds, Scott, Smith, Spruill, Taylor, Waddell, White, Wimberly, Woodhouse, Wynne and York—50.

The question then recurs on the motion of Mr. Lockhart, which prevails.

S. B. 40, H. B. 90, a bill to amend an act to incorporate the Granville Railroad Company is put on its second reading.

During the reading of the bill, Mr. Foard moves that the House adjourn.

The Speaker, Mr. Cooke in the Chair, rules the motion out of order pending the reading of the bill.

At the close of the reading, Mr. Foard renews his motion, and the House adjourns until to-morrow morning at 10 o'clock.

TWELFTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, March 27th, 1880.

The House meets this morning at 10 o'clock, Mr. Speaker Moring in the Chair.

The Journal of yesterday is partially read and it stands as approved.

The committee on Judiciary is, on motion, granted leave to sit for half an hour.

LEAVES OF ABSENCE.

Messrs. Anderson, Foard, Rawley, Colwell, Grant, Lockhart and Holt are granted indefinite leave of absence, and Mr. Harrison until Monday.

Mr. Jones is announced as having been detained from his seat by sickness.

Mr. McCorkle is announced as being detained from his seat by sickness.

INTRODUCTION OF PETITIONS.

Mr. Angier, by request, presented a petition from Josiah Turner of Orange county, and

Mr. Goldston presents a petition from citizens of Chatham county in regard to a prohibitory liquor law near Mann's Chapel, and they are both placed on the Calendar.

Mr. Lewis is announced as being detained in his room by sickness.

REPORTS OF COMMITTEES.

Mr. McLean, from the committee on Education, reports on

H. B. 49, a bill to amend chapter 162, laws of 1876–'77, without recommendation.

Mr. English, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 113, a bill to create a new township in the county of Gaston.

H. B. 38, a bill to amend the revenue act of 1879.

H. B. 114, a bill to amend chapter 232, laws of 1879.

H. B. 117, a bill to authorize the sale of the State's interest in the Western North Carolina Railroad.

The committee on Enrolled Bills reports as correctly enrolled:

An act to amend an act relating to roads and highways;

An act to amend chapter 257, section one, of the laws of 1879;

An act for the relief of Beaufort county;

An act to change the time of holding the courts in the Fourth Judicial District;

An act for the protection of crops in Rowan county;

An act to authorize the Board of Education of Edgecombe county to pay certain school claims;

Resolution in relation to Tisdell Walton of Buncombe county;

An act to amend the charter of the Atlanta and Charlotte Air-Line Railway Company;

Resolution of instruction to the Governor;

An act to authorize the establishment of Graded Schools in the town of Salisbury and in the township of Goldsboro; and a

Resolution relating to the Centennial of the Battle of King's Mountain;

And they are duly and publicly signed by Mr. Speaker Moring.

INTRODUCTION OF RESOLUTIONS.

The following resolution is introduced, read for the first time in this House and referred to the committee on Propositions and Grievances:

By Mr. Chadwick, a resolution for the relief of E. V. Noe.

INTRODUCTION OF BILLS.

The following bill is introduced, read for the first time in this House and placed on the Calendar:

By Mr. Amis, a bill to amend section 25, chapter 70, laws of 1879.

UNFINISHED BUSINESS.

S. B. 42, H. B. 90, a bill to incorporate the Granville Railroad Company, is taken up as the unfinished business of yesterday.

By consent,

Mr. Lockhart, from the Judiciary Committee, reports on H. R. 5, a resolution concerning the right of W. C. Etheridge, of Bertie, to a seat on this floor, recommending the adoption of an accompanying substitute, which unseats Mr. Etheridge and seats as the member from Bertie county Mr. Robbins.

Mr. Lockhart moves that the unfinished business be postponed until the report just made by him can be acted on and disposed of.

Mr. Speaker Moring rules that the report embraces such a question of high personal privilege that it is entitled to an immediate hearing.

The question recurring on the substitute of the committee, it is adopted.

The resolution is then adopted, and Mr. Etheridge is declared by the Speaker no longer a member of this House,

and the Clerk is instructed to issue to him a certificate for *per diem* to and including date.

On motion of Mr. Jones, Mr. Robbins comes forward, is qualified and takes his seat as the member from Bertie county.

The consideration of the unfinished business,

S. B. 42, H. B. 90, is resumed.

Mr. Clarke offers an amendment to strike out the words "at some point on the North Carolina Railroad," and insert the word "Durham."

The amendment is accepted.

By consent,

Mr. Orchard, from the committee on Corporations, reports on

H. B. 153, a bill to incorporate the Historical and Scientific Society of Wilmington, recommending the passage of the bill with the adoption of amendment striking out section 6.

On motion of Mr. Richardson of Columbus, the bill is put on its second reading.

The amendment reported by the committee is adopted, and the bill passes its second reading, on a division, by a vote of ayes 48, nays 20.

On motion, it passes its third reading and is ordered to be sent to the Senate for concurrence in the engrossed amendment.

H. R. 25, a resolution in favor of I. W. Rogers, is taken up.

The substitute reported by the committee on Claims is adopted, and the resolution passes its second and third readings, and is ordered to be transmitted to the Senate without engrossment for concurrence.

By consent,

Mr. Orchard, from the committee on Corporations, reports on

H. B. 138, a bill to amend section 8, chapter 7, Battle's Revisal, recommending its passage.

H. B. 134, a bill to amend section 1, chapter 260, laws of 1876–'77, is taken up.

Mr. Woodhouse moves to amend by adding the following to come in as section 2:

"That it shall be unlawful for any person to sell any spirituous or malt liquors within two miles of Mann's Chapel, in Chatham county."

Also to change section 2 to section 3; also amend by adding to the title of the bill the words: "and to prohibit the sale of liquors within two miles of Mann's Chapel, in Chatham county."

The amendment is accepted and the bill passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Woodhouse moves to reconsider the vote by which the bill passed its third and final reading and to lay that motion on the table.

The motion to table prevails.

H. B. 110, a bill to relieve draymen from the payment of a special tax, is taken up, passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

By consent,

Mr. McGehee introduces a bill to amend an act to prevent live stock from running at large in Rowan, Davie, Cabarrus and other counties.

On motion of Mr. McGehee, the rules are suspended, and the bill just introduced by him passes its second and third readings, and is ordered to be transmitted to the Senate without engrossment for concurrence.

Mr. Woodhouse, from the committee on Engrossed Bills, reports

H. B. 21, a bill to give sub-contractors and laborers a lien for their just claims, as correctly engrossed.

H. B. 43, a bill to amend chapter 69, Battle's Revisal, is taken up, passes its second and third readings and is ordered to be transmitted to the Senate without engrossment.

Mr. Jones moves to reconsider the vote by which

H. B. 43, passed its third and final reading, and moves to lay that motion on the table.

The motion to table prevails.

Mr. Vaughan moves that the House reconsider the vote by which the Senate resolution was adopted, and the motion to reconsider prevails.

By consent,

Mr. Christmas offers a bill to amend chapter 162, laws of 1876–'77, which is placed on the Calendar.

H. B. 54, a bill to amend chapter 80, private laws of 1879, concerning cotton weighers, is taken up and passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 138, a bill to amend section 8, chapter 7, Battle's Revisal, is taken up, passes its second and third readings, and is sent to the Senate, without engrossment, for concurrence.

H. B. 172, a bill to commute and settle certain outstanding indebtedness of the late Western Division of the Western North Carolina Railroad Company, is taken up, and

On motion of Mr. Cooke, is referred to the committee on Railroads, Post Roads, &c.

Mr. Jones asks and is granted leave to record his vote in the affirmative on the passage of

H. B. 1, a bill in relation to the Western North Carolina Railroad, on its third reading.

A MESSAGE FROM THE SENATE

is received, transmitting

S. R. 125, a resolution in behalf of H. W. Miller, a page of the Senate, asking the concurrence of the House in the same.

The resolution is read for the first time in this House, and placed on the Calendar.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 131, a bill concerning the drawing of juries in Wake county, asking the concurrence of the House in the same.

The bill is read for the first time in this House and placed on the Calendar.

THE CALENDAR

is resumed.

H. B. 130, a bill to amend section 6, chapter 135, laws of 1879, is taken up.

Mr. Orchard moves to amend by excepting Cabarrus county, which is accepted.

Mr. Lowry moves to amend by excepting Surry county, which is accepted.

The bill then passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 88, H. B. 150, a bill to amend an act to provide for the laying off of a road from Quaker Bridge, Jones county, to a point near Tar Landing, Onslow county, is taken up.

Mr. Barringer moves to amend by providing that the county bear all the expenses of guarding and supporting said convicts.

The amendment is put to a vote and lost, and the bill passes its second and third readings, and is ordered to be enrolled for ratification.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the correct engrossment of

H. B. 134, a bill to amend section 1, chapter 260, laws of 1876–'77.

THE CALENDAR

is resumed.

H. B. 87, a bill in relation to the Duplin canal, is taken up.

Mr. Blocker moves to amend by striking out ten thousand dollars, and insert the words, "the State will give one-half of the lands drained."

Mr. Foard moves to refer the bill to the Finance Committee.

Mr. Jones moves to lay the bill on the table, which motion is rejected, on a division, by a vote of ayes 33, nays 53.

The question recurs on Mr. Foard's motion to refer.

Mr. York moves to amend Mr. Blocker's amendment, as follows:

Strike out "$10,000," and insert "half of the State's land in said Angola Bay, or Pocoson, in alternate sections of one-half mile each."

On the call of Mr. Colwell, the previous question is had and the main question ordered,

The question recurring on Mr. Foard's motion to refer, which is lost, on a division, by a vote of ayes 18, nays 50.

The question is then on Mr. York's amendment to Mr. Blocker's amendment, which is adopted, and the amendment as amended is adopted.

The question then recurs on the passage of the bill on its second reading.

On the call of Mr. Jones, the ayes and nays are had, and the bill passes by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Banner, Barringer, Battle, Bernard, Bingham, Bird, Blalock, Blocker, Bonner, Brooks, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Yancey, Carroll, Chadwick, Clarke, Click, Colwell, Council, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, Ellison, Ferrell, Foard, Forbes, Foy, Fulcher, Goldston, Henderson, Hewett, Hines, Hobbs, Horton, Lamb, Lowry, Lutterloh, Melson, Miller, McGhehee, McLean, Newell, Oliver, Osborne, Paxton, Pettipher, Reynolds, Richardson of Columbus, Ritchey, Robbins, Scott, Smith, Spruill, Taylor, Vaughan, Waddell, Wheeler, Wimberly, Woodhouse, York and Young—72.

Nays—Messrs. Anderson, Bizzell, Carter of Warren, Christmas, Cooke, English, Foster, Gatling, Grant, Huffstetler, Jones, Johnson, Leach, Leatherwood, Mebane, Norment, Orchard, Powers and Richardson of Wake—19.

No objection being made, the bill is placed on its third reading.

On motion of Mr. Vaughan, the bill is made special order for half past one o'clock, P. M., and referred to Messrs. Colwell, York and Cooke.

The Speaker announces the ratification of certain bills.

Mr. Richardson of Columbus, moves to reconsider the vote by which H. B. 153 passed its third reading and to lay that motion on the table.

The motion to table prevails, and on his further motion the bill is sent to the Senate without engrossment.

H. B. 75, a bill for the better protection of navigation in Albemarle Sound and its tributaries, is taken up, passes its second and third readings and is ordered sent to the Senate without engrossment for concurrence.

S. R. 125, a resolution in favor of H. W. Miller, is taken up and passes its second reading.

No objection being made it is placed on its third reading.

The ayes and nays being had on the call of Mr. Vaughan, the bill passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Battle, Berry, Bird, Bonner, Bost Brooks, Brown of Mecklenburg, Bryson, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Christmas, Clarke, Click, Cobb, Davis of Catawba, Dixon, Dunn, Ellison, Ewing, Ferrell, Forbes, Foy, Goldston, Henderson, Hewett, Hobbs, Jones, Johnson, Leatherwood, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Moore, McLean, Norment, Osborne, Paxton, Pettipher, Reynolds, Richardson of Columbus, Richardson of Wake, Robbins, Scott, Spruill, Taylor, Vaughan, Waddell and Wimberly—58.

Nays—Messrs. Barringer, Bingham, Bizzell, Blalock, Blocker, Buchan, Chadwick, Council, Foster, Gatling, Grant, Hines, Huffstetler, Leach, Miller, Oliver, Orchard, Powers, Ritchey, Smith, Wheeler, and Young—22.

S. B. 131, a bill concerning the drawing of juries in Wake county, is taken up and passes its second and third readings and is ordered to be enrolled for ratification.

H. B. 138, a bill to amend section 8, chapter 7, Battle's Revisal, is taken up and passes its second and third readings and is ordered to be sent to the Senate without engrossment for concurrence.

H. B 162, a bill to authorize A. M. Powell, of Catawba county, and others, to erect a toll bridge across the Catawba river at or near Wide Shoals, is taken up, passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 104, H. B. 169, a bill to amend section 1, chapter 194, laws of 1876–'77, is taken up, passes its second and third readings and is ordered to be enrolled for ratification.

S. B. 105, H. B. 170, a bill to employ a messenger for the Supreme Court, is taken up, passes its second and third readings and is ordered to be enrolled for ratification.

S. B. 102, H. B. 168, a bill in regard to the collection of taxes in Robeson county, is taken up, passes its second

and third readings and is ordered to be enrolled for ratification.

By consent,

Mr. Armstrong presents a petition from W. C. Etheridge, which is placed on the Calendar.

H. B. 115, a bill to incorporate the Board of Trade of Newbern, is taken up, passes its second and third readings and is order to be engrossed and sent to the Senate for concurrence.

Mr. York, from the Special Committee to examine H. B. 87, submits a report recommending the adoption of an accompanying substitute.

The substitute is adopted, and the bill then passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 29, H. B. 109, a bill to re enact an act to run and establish the dividing line between Greene and Wayne counties, is taken up, passes its second and third readings and is ordered to be enrolled for ratification.

S. B. 94, H. B. 149, a bill to amend chapter —, laws of 1879, is taken up, passes its second and third readings and is ordered to be enrolled for ratification.

S. R. 59, H. R. 39, a resolution in relation to the Centennial Celebration of the Battle of Guilford Court House, is taken up, passes its several readings and is ordered to be enrolled for ratification.

S. B. 45, H. B. 108, a bill to incorporate the town of Richlands, Onslow county, is taken up on its third reading and passes by the following vote, and is ordered to be enrolled for ratification :

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blocker, Bost, Brooks, Brown of Mecklenburg, Burroughs, Cale, Carter of Warren, Carter of Yancey, Christmas, Click, Cobb, Cooke, Council, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, English, Forbes, Foster, Foy, Ful-

cher, Gatling, Goldston, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lowry, Lutterloh, Melson, Miller, Moore, McGhehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Robbins, Scott, Smith, Spruill, Taylor, Vaughan, Wheeler, Wimberly, Woodhouse, York and Young—77.

Nays—None.

On motion of Mr. Carter of Buncombe, the use of this Hall is extendeded to W. J. Best, Esq., at 4½ o'clock this afternoon.

By consent,

Mr. Moore introduces a bill to repeal chapter 212, laws of 1879, which is read for the first time in this House and placed on the Calendar.

H. R. 24, a resolution expunging the record in relation to J. Williams Thorne, is taken up and adopted.

By consent,

Mr. Clarke introduces a resolution requesting the Senate to return H. B. 90, S. B. 42, which is read for the first time in this House and placed on the Calendar.

Mr. Brown of Mecklenburg, moves to adjourn until half past 7 this evening.

Mr. Lockhart moves to amend by saying 10 A. M., Monday.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 100, a bill to incorporate the Wilmington Market Company;

S. R. 103, a resolution concerning the binding of the Journals, Documents, &c., of the Extra Session of the General Assembly; also,

Engrossed amendments to

H. B. 136, S. B. 118, a bill in regard to the public roads.

The question is on concurrence in the Senate amendments to H. B. 136, S. B. 118.

Mr. Brown of Mecklenburg, moves to adjourn until seven P. M.

Mr. Lockhart moves to amend by saying until 10 A. M., Monday.

Mr. Brown's motion is rejected, on a division, by a vote of ayes 31, nays 32.

Mr. Ellison moves to adjourn until 7 P. M., which fails, as no quorum voted on the division.

Mr. Ellison calls for the ayes and nays, but the call is not sustained.

On a division, Mr. Lockhart's amendment is adopted, and the House stands adjourned until Monday next at 10 A. M.

THIRTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, March 29th, 1880.

The House meets this day at 10 o'clock A. M., and is called to order by Mr. Cooke, Speaker Moring being confined to his room by sickness.

The reading of the Journal of Saturday is dispensed with and it stands as approved.

REPORTS OF COMMITTEES.

Mr. Richardson, from the committee on Finance, reports on

H. B. 119, a bill to amend chapter 70, laws of 1879; on

H. B. 35, a bill to amend laws of 1879, chapter 71, secs. 4 and 8, concerning the assessment of real and personal property; and on

H. B. 45, a bill concerning the North Carolina Industrial Association;

All of which are reported back to the House without prejudice.

Mr. Armstrong introduces a petition from citizens of Pender, Sampson and Bladen counties, in relation to prohibition.

Mr. Lewis has leave to record his vote on the final reading of H. B. 1, which passed this House on Thursday last, he having been detained from his seat in the House that day by sickness.

Mr. Christmas introduces a bill to authorize the Speaker to sign the School Bill, which takes its place on the Calendar.

Mr. Reynolds, from the committee to investigate the failure to sign the School Bill, makes a report on behalf of the committee.

Mr. Vaughan moves the report be adopted; and it is adopted.

On the farther motion of Mr. Jones of Caldwell, the report is ordered to be spread upon the Journals of the House; and it is recorded as follows:

The Special Joint Committee appointed under S. R. —, to investigate the cause or causes of the failure of the ratification of the School Bill, would respectfully report that they have considered the same and submit the following:

That they are unable to place the blame upon any particular person or persons, and are of opinion that no officer of this General Assembly, or of this State, is implicated in the cause of said failure, and are also of the opinion that the Speakers and Enrolling Clerk performed their duties in a creditable manner upon the last day of the session, upon which day, and the only day, the School Bill could have

been signed. We attribute the failure of the ratification of the School Bill to the confusion and haste of the legislation on the last days of the session, and would suggest a joint resolution prohibiting the introduction of new measures within a certain date before adjournment.

(Signed) G. B. EVERETT, Ch'm'n.
J. T. REYNOLDS,
N. C. ENGLISH,
J. A. McLEAN,
S. B. ALEXANDER,
Committee.

Mr. Atkinson, by consent, introduces a bill to establish a turnpike from Yancey to Buncombe, which is placed upon the Calendar.

Mr. Atkinson introduces a priviledged resolution in relation to the mileage and per diem of Augustus Robbins, the newly seated member from Bertie, which is adopted, and an engrossed copy thereof transmitted to the Public Treasurer.

THE UNFINISHED BUSINESS

of Saturday, being

H. B. 136, a bill in relation to the public roads, is announced.

The question is on the amendments of the Senate.

The House refuses to concur in the amendment to strike out "Cleveland," and the bill is sent to the Senate with a message notifying that body of the action of the House.

H. B. 33, a bill to provide for the free passage of fish up the Cape Fear river, passes its third reading by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Banner, Barringer, Berry, Bizzell, Blalock, Blocker,

Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Yancey, Carson, Click, Cobb, Coffield, Cooke, Council, Davis of Catawba, Davis of Haywood, Deans, Forbes, Foster, Gatling, Goldston, Harrell, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Mebane, Moore, McLean, Orchard, Powers, Reid of Macon, Ritchey, Smith, Taylor, Vaughan, Wheeler, Wynne, York and Young—58.

Nays—Messrs. Bingham, Bird, Carter of Warren, Cary, Christmas, Clarke, Dimsdale, Dixon, Dunn, Ellison, Ferrell, Foy, Fulcher, Harrison, Henderson, Hobbs, Leach, Lowry, Melson, Miller, Newell, Norment, Osborne, Pettipher, Reynolds, Scott, Vann, Waddell and Wimberly—29.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. R. 142, a resolution in favor of D. W. Furman, J. C. Syme and H. D. Murrill, which is put on its readings and amended by striking out the name of H. D. Murrill, and passes, and is returned to the Senate for concurrence in the amendment; and

Senate amendments to

H. B. 132, a bill to incorporate the town of Randleman's Mills. The amendments are concurred in and the bill ordered to be enrolled for ratification.

ALSO A MESSAGE FROM THE SENATE

transmitting

S. B. 71, a bill to prevent the felling of timber between the south-west bridge of the south-west branch of New River, in Onslow county, which is read the first time in this House and placed on the Calendar.

ALSO A MESSAGE FROM THE SENATE

transmitting Senate amendments to

H. B. 21, a bill to give sub-contractors, laborers and material men a lien for their just claims.

The amendments are concurred in, and the bill is ordered to be enrolled for ratification.

S. B. 89, H. B. 148, a bill concerning taxes and revenue passes its several readings, and is ordered to be enrolled for ratification.

H. B. 15, a bill to incorporate the Wilmington Telegraph Company, passes its several readings, and is sent to the Senate without engrossment.

A MESSAGE FROM THE SENATE

transmitting

S. R. 176, a resolution authorizing the Governor to employ counsel in making contracts with W. J. Best and others; and

Senate amendments to

H. B. 86, S. B. 83, a bill to protect the fish interests of North Carolina.

On motion of Mr. Coffield, the House concurs in the Senate amendments, and the bill is ordered to be enrolled for ratification.

S. R. 199, a resolution to pay S. T. Carrow is also announced, and that and S. R. 176 are put on their several readings and pass, and are ordered to be enrolled for ratification.

H. B. 142, a bill to make Muddy Creek, Davidson county, a lawful fence, passes its several readings, and is sent to the Senate without engrossment.

S. B. 71, H. B. 182, a bill to prevent the felling of timber below south-west bridge on south-west branch of New River, in Onslow county, is put on its several readings and passes and is ordered to be enrolled for ratification.

H. B. 181, a bill to establish a turnpike from Yancey to Buncombe county is put on its second reading and passes; but pending a motion to put it on its third reading, the House yields to the motion of Mr. Vaughan to take a recess of twenty minutes; at the expiration of which time the House re-assembles.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 81, a bill to amend chapter 157, laws of 1873–'74, which is at once put on its readings and passes, and is ordered to be enrolled for ratification.

A MESSAGE FROM THE SENATE

is announced, informing the House that the Senate has directed the Enrolling Committee of the two Houses to omit from the enrolled copy of H. B. 90, S. B. 42, a bill to amend the charter of the Granville Railroad Company, the amendment of the House, which is in these words:

Amend by striking out "some point on the North Carolina Railroad," and inserting "Durham, Orange county."

The amendments are concurred in, and the bill is ordered to be enrolled for ratification.

Mr. Ellison introduces a resolution to investigate alleged cruelties practiced upon convicts on the University railroad, to report to the Governor, which is placed upon the Calendar.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 143, a bill to amend chapter 24, private laws of 1879,

entitled an act to amend chapter 105, laws of 1876–'77, which is read and put on its several readings and passes, and is ordered to be enrolled for ratification.

Mr. Jones rises to a question of personal privilege in relation to remarks made by him in reference to the refusal of the Public Treasurer to pay the warrant issued to Augustus Robbins for mileage and per diem due for the session of 1879, under the resolution of the House declaring his right to his seat for that session, expressing his regrets, and asking leave to withdraw his remarks.

Mr. Woodhouse, from the committee on Engrossed Bills reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 115, a bill to incorporate the Board of Trade of Newbern;

H. B. 101, a bill to amend chapter 117, section 14, of Battle's Revisal, in relation to widows' year's allowance;

H. B. 110, a bill to relieve draymen from the payment of special tax;

H. B. 54, a bill to amend chapter 80, laws of 1879, concerning cotton weighers;

H. B. 130, a bill to amend section 6, chapter 135, laws of 1879;

H. B. 164, a bill to incorporate the town of Wake Forest College, in Wake county; and

H. B. 179, a bill in relation to the Duplin Canal.

Mr. Vaughan moves that the House adjourn until 20 minutes to 1 to allow the Enrolling Clerk to bring up the business of his department. The motion is agreed to, and a message is sent to the Senate informing that body of the action of the House.

A message is received from the Senate informing the House that the Senate has agreed to the proposition of the House to adjourn until 20 minutes before 1 o'clock.

At 20 minutes before 1 o'clock the House is called to order by Mr. Brown of Mecklenburg, and

The committee on Enrolled Bills reports as correctly enrolled:

Resolution in behalf of H. W. Miller;

An act to amend chapter eighty-three, laws of 1879;

An act to provide a servant for the Supreme Court;

An act to re-enact an act to run and establish the dividing line between the counties of Greene and Wayne;

An act concerning the drawing of juries in Wake county;

An act to incorporate the town of Richlands, in Onslow county;

An act to allow L. M. Long, late tax collector of Halifax county, to collect arrears of taxes for the year one thousand eight hundred and seventy-eight;

An act to amend section 1, chapter 194, of the laws of 1876–'77;

Resolution instructing the Public Treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones, deceased;

An act to amend section twenty of chapter seventy of the laws of 1879;

An act to amend the charter of High Point, in Guilford county;

Resolution on adjournment;

An act to prohibit the sale of intoxicating liquors within two miles of Elkville and other churches in this State;

An act to incorporate the town of Aurora, in the county of Beaufort;

An act to incorporate The Historical and Scientific Society of Wilmington, North Carolina;

An act to amend "An act to prevent live stock from running at large within Rowan, Davie, Cabarrus and other counties;"

An act to amend an act entitled "An act to incorporate the Granville Railroad Company," ratified the thirteenth day of December, one thousand eight hundred and sixty-nine;

An act to amend chapter 232, laws of A. D. 1879;

An act in regard to the collection of taxes in Robeson county;

An act to incorporate the town of Middleburg in the county of Warren;

An act to amend the revenue law;

An act to incorporate the town of Mebaneville in Alamance county;

An act to amend laws of 1879, chapter 104;

Resolution in relation to the Centennial Celebration of the Battle of Guilford Court House;

Resolution in reference to the room of the Keeper of the Capitol;

An act to provide for the sale of the Western North Carolina Railroad Company and for other purposes;

An act to incorporate the town of Randleman Mills in Randolph county;

An act to amend chapter 40, section 2, laws of one thousand, eight hundred and seventy-nine;

Resolution in favor of D. W. Furman and John C. Syme;

An act to prohibit the sale of spirituous liquors within five miles of Hadnot Creek, Bethlehem and Oak Grove churches, Carteret county, N. C.;

Resolution to pay S. T. Carrow;

An act to amend section fourteen (14), one hundred and seventeen (117) of Battle's Revisal, in relation to widows' year's support;

An act for the better protection of navigation in the waters of the Albemarle Sound and its tributaries;

An act to amend section 1, chapter 260, acts of 1876–'77, and to prohibit the sale of liquors within two miles of Mann's Chapel, Chatham county;

An act to amend an act entitled "An act to provide for the laying off of a road from Quaker Bridge in Jones county, to a point near Tar Landing in Onslow county," chapter 260, act of General Assembly, session of 1878–'79;

An act concerning taxation and revenue;

An act to amend chapter 82, of the laws of 1879, entitled "An act to provide for keeping in repair the public roads of the State ;"

An act to incorporate the town of Wake Forest College, in Wake county ;

An act to give to sub-contractors, laborers and material men a lien for their just dues ;

An act to amend chapter 69 of Battle's Revisal ;

An act to amend an act entitled " An act to prohibit the sale of spirituous liquors in certain localities," chapter 232, laws of 1879 ;

Resolution in favor of I. W. Rogers, late keeper of the Capitol and Arsenal ;

An act to amend that part of chapter 232, of the laws of 1879, which prohibits the sale of spirituous liquors, bitters, or any other intoxicating drinks within three miles of Chowan Female Institute ;

An act to create a new township out of a portion of Crowder's Mountain, Dallas and South Point townships in the county of Gaston ;

An act to amend section 8, chapter 7, Battle's Revisal ;

An act to construe an act to prohibit the sale of liquor within two and one-half miles of Hank's chapel in Chatham county;

Resolution to employ counsel to aid the Governor in making contract with W. J. Best and others ;

An act to prevent the felling of trees below the south-west bridge in west branch of New river in Onslow county ;

An act to amend chapter 80 of the private laws of 1879, concerning cotton weighers ;

An act to amend chapter 137, laws of 1873–'74, entitled "An act to prohibit the sale of liquors in certain localities ;"

An act for the relief of the bondsmen of F. J. Satchwell, late sheriff and tax collector of Beaufort county;

An act to protect the fish interest in North Carolina ;

An act relating to roads and other public works in the county of Lenoir;

And they are duly and publicly ratified by the Speaker of this House.

Mr. Clarke asks unanimous consent to introduce the following resolution, which is adopted, and ordered to be spread on the Journal of the House:

The House of Representatives hereby resolve:

SEC. 1. That the thanks of this House are due and they are hereby tendered to the Honorable J. M. Moring, Speaker of the House of Representatives, for the uniform courtesy and fairness of his rulings as the Speaker of this House during the Extra Session; and that the thanks of this House are hereby tendered to John D. Cameron, Chief Clerk; John C. Syme, Assistant to the Chief Clerk; R. W. Best, Reading Clerk, and the other officers and employees of this House, for courtesy and efficiency in the performance of their duties.

SEC. 2. This resolution shall be in force from and after its passage.

A MESSAGE FROM THE SENATE

is received, announcing to the House that the Senate is now ready to adjourn, in pursuance of the amended joint resolutions, and at one o'clock, Speaker Moring, in appropriate language, pronounces this House adjourned *sine die*.

JOHN M. MORING,
Speaker House of Representatives.

JOHN D. CAMERON,
Principal Clerk House of Representatives.

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EXECUTIVE

AND

LEGISLATIVE DOCUMENTS,

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GENERAL ASSEMBLY

OF

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SPECIAL SESSION, 1880.

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